

section of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

HOUSE BILL AND CONCURRENT RESOLUTION SENT TO THE GOVERNOR

October 12, 1937

House Bill No. 31.

House Concurrent Resolution No. 18.

TENTH DAY

(Continued)

(Wednesday, October 13, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Westbrook was granted leave of absence for yesterday and today, on account of illness, on motion of Mr. Oliver.

Mr. Heflin was granted leave of absence for today, on account of important business, on motion of Mr. Monkhouse.

Mr. Cagle was granted leave of absence for today, on account of important business, on motion of Mr. Harrell.

Mr. Jones of Wise was granted leave of absence temporarily for this morning and for this afternoon, on account of important business, on motion of Mr. Roark.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Carssow:

H. B. No. 102, A bill to be entitled "An Act to amend House Bill No. 821 of the Acts of the Regular Session of the Forty-fourth Legislature and finding and declaring that there exist in the State insanitary or unsafe dwelling accommodations; that

there is a shortage of safe or sanitary dwelling accommodations available at rents which persons of low income can afford; that such conditions constitute a menace to the health, safety, morals and welfare of the residents of the State and impair the economic values; that slum areas cannot be cleared through the operation of private enterprise; that housing projects will not be competitive with private enterprise; that the clearance, replanning and reconstruction of the areas in which insanitary or unsafe housing conditions exist and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes and are governmental functions; that the necessity in the public interest of the provisions of this Act is declared as a matter of legislative determination; defining certain words, terms and phrases for the purpose of this Act; authorizing the creation of public bodies corporate and politic to be known as housing authorities; prescribing the procedure to be followed in the creation of such authorities; providing for the appointment, qualifications and tenure of office of the commissioners of the authorities; providing that the power of each authority shall be vested in the commissioners thereof; defining the authority, prescribing the powers thereof, and that it shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including specifically the making of by-laws, rules and regulations; to prepare, carry out, acquire, lease and operate housing projects, to provide for the construction, reconstruction, improvement, alteration or repair of any housing project; etc., and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Carssow:

H. B. No. 103, A bill to be entitled "An Act to amend House Bill No. 820 of the Regular Session of the Forty-fifth Legislature and defining certain words and phrases for its purposes; making certain findings and declaring necessity; authorizing cities, towns, counties and other public bodies to aid housing projects of housing authorities or of the United States of America by dedicating, selling, conveying or leasing any of its property to

a housing authority or the Federal Government; by causing parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with housing projects; by furnishing, dedicating, closing, paving, installing, grading, re-grading, planning or re-planning streets, roads, roadways, alleys, sidewalks or other places which it is otherwise empowered to undertake; by planning or re-planning, zoning or re-zoning any part of such public body; by making exceptions from building regulations and ordinances; by changing, in the case of any city or town, their maps; by entering into agreements with a housing authority or the Federal Government respecting action to be taken by public bodies pursuant to any of the powers granted by this Act; by doing any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of such housing projects; by purchasing or legally investing in any of the bonds of a housing authority and exercising all of the rights of any holder of such bonds; etc., and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. McDonald and Mr. Holland:

H. B. No. 104, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; making this Act cumulative of all General Laws on the same subject, such General Laws to apply except in case of conflict when the provisions of this Act shall control, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Cauthorn:

H. B. No. 105, A bill to be entitled "An Act abolishing the office of County School Superintendent in counties in this State with a population of not less than fourteen thousand nine hundred and twenty (14,920), and not more than fourteen thousand nine hundred and fifty

(14,950), according to the last preceding Federal Census, and in which there are not residing outside the boundaries of the independent school districts more than one thousand five hundred (1,500) scholastics, as of the last preceding scholastic census; providing that in counties wherein the office is abolished the county judge of such counties shall perform the duties of such offices; repealing all laws and parts of laws in conflict herewith, and providing that if any part of this law shall be declared unconstitutional, no other part shall be affected thereby, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Schuenemann:

H. B. No. 106, A bill to be entitled "An Act to provide a more adequate and equitable salary for the County Superintendents of Public Instruction in certain counties, repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on Education.

BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Baker, House Bill No. 74 was ordered not printed.

ADDITIONAL SIGNERS OF HOUSE BILL NO. 100

By unanimous consent of the House, Mr. Boethel and Mr. London were authorized to sign House Bill No. 100, as co-authors of same.

RELATIVE TO HOUSE BILL NO. 75

Mr. Beckworth moved to reconsider the vote by which House Bill No. 75 was, on yesterday, passed.

The motion to reconsider prevailed.

Question—Shall House Bill No. 75 be passed?

HOUSE BILL NO. 23 ON PASSAGE TO ENGROSSMENT

The Speaker laid before the House, as pending business, on its passage to engrossment,

H. B. No. 23, A bill to be entitled "An Act to raise revenue for the

Old Age Assistance Fund, Available School Fund, Destitute Children and Needy Blind Fund, Teacher's Retirement Fund, and the General Revenue Fund; amending Section 2, Subdivision 1, of Article 7057a of the Revised Civil Statutes of Texas, 1925, same being Section 2, Subdivision 1, Chapter 162, Acts of the Forty-third Legislature, 1933, as amended by the Acts of the First Called Session of the Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 4; amending Section 3, Chapter 73, Acts of the Regular Session of the Forty-second Legislature, as amended by the Acts of the Third Called Session of the Forty-fourth Legislature, Chapter 495, Article 4, Section 8; amending Section 8, Chapter 73, Acts of the Regular Session of the Forty-second Legislature; amending Section 45, Article 7047, Revised Civil Statutes of Texas, 1925, same being Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 7; amending Section 40A, Article 7047, Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Forty-second Legislature, 1931, page 355, Chapter 212, Section 1, as amended by Acts of 1936, Forty-fourth Legislature, Third Called Session, page 2040, Chapter 495, Article 4, Section 6; amending Article 111, Section 6, Acts of the Third Called Session of the Forty-fourth Legislature; amending Article 7070, Revised Civil Statutes of Texas, 1925, as amended, Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Article 4, Section 1, House Bill No. 8, amending Article 7060, Revised Civil Statutes of Texas, 1925, as amended by Chapter 34, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Article IV, Section 3, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature; providing that the State shall have a prior lien for all taxes, penalties and interest levied herein; expressly preserving all taxes, penalties, and interest accruing by virtue of any reenacted or repealed provisions of this Act and declaring them to be legal and valid obligations to the State; allocating certain funds to Old Age Assistance Fund, to General Revenue, Available School Fund, Destitute Children's and Needy Blind Fund, and Teachers' Retirement Fund; declaring the Act to be sever-

able; repealing all laws in conflict, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment No. 1, and amendment by Mr. Keefe to the committee amendment, pending.

The House having agreed to consider the amendment, Section by Section, and having under consideration, at this time, Section 2 of the committee amendment.

Mr. Gibson offered the following substitute for the amendment by Mr. Keefe:

Amend Section 2, of committee amendment No. 1, to House Bill No. 23, by striking out the words and figures "4c" and "4%" wherever they appear and inserting in lieu thereof the words and figures "3¼c" and "3¼%".

GIBSON,
TALBERT,
TENNANT,
TENNYSON.

Mr. Morris moved to table the substitute amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Adkins	Harper
Alsup	Harrell
Amos	Harris of Dickens
Bates	Herzik
Beckworth	Holland
Bell	Huddleston
Boethel	Johnson of Ellis
Bradbury	Jones of Angelina
Broadfoot	Jones of Falls
Brown	Jones of Wise
Burton	Keefe
Callan	Keith
Cathey	Kelt
Cauthorn	Kern
Cleveland	King
Davis of Haskell	Langdon
Davis of Jasper	Lankford
Deglandon	Lehman
Derden	Leyendecker
Dickison	Loggins
Dollins	Lucas
England	Mauritz
Farmer	Mays
Fox	McDonald
Fuchs	Metcalfe
Graves	Morris
Hamilton	Newton
Harbin	Oliver

Palmer	Ross
Patterson of Mills	Russell
Patterson	Rutta
of Travis	Sewell
Powell	Sharpe
Prescott	Skaggs
Reader	Smith of Tarrant
Ragsdale	Thornberry
Reed of Bowie	Waggoner
Rhodes	Weldon
Roark	

Nays—65

Alexander	Lanning
Anderson	Leonard
Blankenship	Little
Bond	London
Boyer	Mann
Bradford	McConnell
Bridgers	McFarland
Carssow	McKee
Celaya	McKinney
Colquitt	Moffett
Davison of Fisher	Monkhouse
Davisson	Morse
of Eastland	Nicholson
Dean	Petsch
Donaghey	Pope
Felty	Quinn
Fielden	Reed of Dallas
Gibson	Riddle
Hankamer	Schuenemann
Hanna	Settle
Hardin	Shell
Harris of Archer	Simpson
Harris of Dallas	Smith
Hartzog	of Matagorda
Hoskins	Stinson
Howard	Stocks
Hull	Talbert
Hyder	Tennant
Jackson	Tennyson
Johnson	Thornton
of Tarrant	Vale
Jones of Atascosa	Winfree
Kenyon	Wood
Knetsch	Worley

Absent

Baker	Smith of Hopkins
Leath	Tarwater

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook

Mr. Broadfoot moved the previous question on the amendment by Mr. Keefe to committee amendment No. 1, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—45

Adkins	Lankford
Alsup	Lehman
Bates	Lucas
Bell	Mays
Broadfoot	McDonald
Davis of Jasper	Metcalfe
Deglandon	Morris
Dickison	Newton
Farmer	Oliver
Fox	Palmer
Fuchs	Patterson of Mills
Hamilton	Patterson
Harbin	of Travis
Harrell	Powell
Herzik	Prescott
Holland	Reader
Huddleston	Reed of Bowie
Jones of Angelina	Rhodes
Jones of Wise	Ross
Keefe	Russell
Keith	Sharpe
Kelt	Skaggs
Kern	Weldon

Nays—93

Alexander	Harris of Archer
Amos	Harris of Dallas
Anderson	Harris of Dickens
Baker	Hartzog
Beckworth	Hoskins
Blankenship	Howard
Boethel	Hull
Bond	Hyder
Boyer	Jackson
Bradbury	Johnson of Ellis
Bradford	Johnson
Brown	of Tarrant
Burton	Jones of Atascosa
Callan	Kenyon
Carssow	King
Cathey	Knetsch
Cauthorn	Langdon
Celaya	Lanning
Cleveland	Leonard
Colquitt	Leyendecker
Davis of Haskell	Little
Davison of Fisher	Loggins
Davisson	London
of Eastland	Mann
Dean	Mauritz
Derden	McConnell
Dollins	McFarland
Donaghey	McKee
Felty	McKinney
Fielden	Moffett
Gibson	Monkhouse
Graves	Morse
Hankamer	Nicholson
Hanna	Pope
Hardin	Quinn
Harper	Reed of Dallas

Riddle	Stinson
Roark	Stocks
Rutta	Talbert
Schuenemann	Tennant
Settle	Tennyson
Sewell	Thornberry
Shell	Thornton
Simpson	Vale
Smith of Hopkins	Waggoner
Smith	Winfree
of Matagorda	Wood
Smith of Tarrant	Worley

Absent

Bridgers	Petsch
England	Ragsdale
Jones of Falls	Tarwater
Leath	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook

Mr. Metcalfe offered the following substitute for the amendment by Mr. Keefe:

Amend committee amendment No. 1 to House Bill No. 23, page 2, Section 2, by striking out of line 29, the following: "four cents (4c)", and substitute in lieu thereof the following: "three cents (3c)"; by striking out of lines 35 and 36 the following: "four per cent (4%)", and insert in lieu thereof the following: "three and one half per cent (3½%)"; and by inserting after the word "gallons" in line 38 the following: "provided further that the tax herein levied shall be three and one-fourth cents (3¼c) per barrel on oil whose market value is between seventy-five cents (75c) and One (\$1.00) Dollar per barrel".

METCALFE,
BRADBURY,
SMITH of Hopkins,
FIELDEN,
MOFFETT,
GIBSON,
HARRIS of Archer,
TENNYSON.

Mr. Morris moved to table the substitute amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—60

Adkins	Beckworth
Amos	Bell

Bridgers	Lankford
Broadfoot	Leath
Brown	Lehman
Burton	Leyendecker
Cauthorn	Loggins
Davis of Jasper	Lucas
Deglandon	Mays
Derden	McDonald
England	Morris
Farmer	Newton
Fox	Oliver
Fuchs	Palmer
Graves	Patterson of Mills
Hamilton	Patterson
Harbin	of Travis
Harper	Powell
Harrell	Ragsdale
Herzik	Reader
Holland	Reed of Bowie
Huddleston	Rhodes
Johnson of Ellis	Ross
Jones of Angelina	Russell
Jones of Falls	Rutta
Jones of Wise	Sewell
Keefe	Sharpe
Keith	Skaggs
Kelt	Thornberry
King	Weldon
Langdon	

Nays—81

Alexander	Hull
Alsup	Hyder
Anderson	Jackson
Baker	Johnson
Blankenship	of Tarrant
Boethel	Jones of Atascosa
Bond	Kenyon
Boyer	Kern
Bradbury	Knetsch
Bradford	Lanning
Carssow	Leonard
Cathey	Little
Celaya	London
Cleveland	Mann
Colquitt	McConnell
Davis of Haskell	McFarland
Davison of Fisher	McKee
Davisson	McKinney
of Eastland	Metcalfe
Dean	Moffett
Dollins	Monkhouse
Donaghey	Morse
Felty	Nicholson
Fielden	Petsch
Gibson	Pope
Hankamer	Prescott
Hanna	Quinn
Hardin	Reed of Dallas
Harris of Archer	Riddle
Harris of Dallas	Roark
Harris of Dickens	Schuenemann
Hartzog	Settle
Hoskins	Shell
Howard	Simpson

Smith of Hopkins Tennant
 Smith Tennyson
 of Matagorda Thornton
 Smith of Tarrant Vale
 Stinson Waggoner
 Stocks Winfree
 Talbert Wood
 Tarwater Worley

Absent

Bates Dickison
 Callan Mauritz

Absent—Excused

Cagle Stevenson
 Heflin Westbrook

Mr. Bond moved the previous question on the substitute amendment by Mr. Metcalfe, and the motion was not seconded.

Question then recurring on the substitute amendment by Mr. Metcalfe, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—85

Alexander	Hyder
Alsup	Jackson
Anderson	Johnson
Baker	of Tarrant
Blankenship	Jones of Atascosa
Bond	Kenyon
Boyer	Kern
Bradbury	King
Bradford	Knetsch
Carssow	Lanning
Celaya	Leath
Colquitt	Lehman
Davis of Haskell	Leonard
Davison of Fisher	Little
Davisson	Loggins
of Eastland	London
Dean	Mann
Dollins	Mauritz
Donaghey	McConnell
Felty	McFarland
Fielden	McKee
Fuchs	McKinney
Gibson	Metcalfe
Hankamer	Moffett
Hanna	Monkhouse
Harbin	Morse
Hardin	Nicholson
Harper	Petsch
Harris of Archer	Pope
Harris of Dallas	Prescott
Harris of Dickens	Quinn
Hartzog	Reed of Dallas
Hoskins	Riddle
Howard	Schuenemann
Hull	Settle

Shell Tarwater
 Simpson Tennant
 Smith of Hopkins Tennyson
 Smith Thornton
 of Matagorda Vale
 Smith of Tarrant Waggoner
 Stinson Winfree
 Stocks Wood
 Talbert Worley

Nays—58

Adkins	Keefe
Amos	Keith
Bates	Kelt
Beckworth	Langdon
Bell	Lankford
Boethel	Leyendecker
Bridgers	Lucas
Broadfoot	Mays
Brown	McDonald
Burton	Morris
Cathey	Newton
Cauthorn	Oliver
Cleveland	Palmer
Davis of Jasper	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
Dickison	Powell
England	Reader
Farmer	Reed of Bowie
Fox	Rhodes
Graves	Roark
Hamilton	Ross
Harrell	Russell
Herzik	Rutta
Holland	Sewell
Huddleston	Sharpe
Johnson of Ellis	Skaggs
Jones of Angelina	Thornberry
Jones of Falls	Weldon
Jones of Wise	

Absent

Callan Ragsdale

Absent—Excused

Cagle Stevenson
 Heflin Westbrook

Question then recurring on the amendment by Mr. Keefe, as substituted, yeas and nays were demanded.

The amendment by Mr. Keefe, as substituted, was adopted by the following vote:

Yeas—81

Alexander	Blankenship
Alsup	Bond
Anderson	Boyer
Baker	Bradbury
Beckworth	Bradford

Carssow	Loggins
Celaya	London
Colquitt	Mann
Davis of Haskell	McConnell
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	McKinney
Dean	Metcalfe
Dollins	Moffett
Donaghey	Monkhouse
Felty	Morse
Fielden	Nicholson
Fuchs	Petsch
Gibson	Pope
Hankamer	Prescott
Hanna	Quinn
Hardin	Reed of Dallas
Harris of Archer	Riddle
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Hartzog	Shell
Hoskins	Simpson
Howard	Smith of Hopkins
Hull	Smith
Hyder	of Matagorda
Jackson	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Atascosa	Tarwater
Kenyon	Tennant
Kern	Tennyson
King	Thornton
Knetsch	Vale
Lanning	Waggoner
Leath	Winfree
Leonard	Wood
Little	Worley

Nays—60

Adkins	Huddleston
Amos	Johnson of Ellis
Bates	Jones of Angelina
Bell	Jones of Falls
Boethel	Jones of Wise
Bridgers	Keefe
Broadfoot	Keith
Brown	Kelt
Burton	Langdon
Cathey	Lankford
Cauthorn	Lehman
Cleveland	Leyendecker
Davis of Jasper	Lucas
Deglandon	Mauritz
Derden	Mays
Dickison	McDonald
England	Morris
Farmer	Newton
Fox	Oliver
Graves	Palmer
Hamilton	Patterson of Mills
Harbin	Patterson
Harrell	of Travis
Herzik	Powell
Holland	Reader

Reed of Bowie	Sewell
Rhodes	Sharpe
Roark	Skaggs
Ross	Thornberry
Russell	Weldon
Rutta	

Absent

Callan	Ragsdale
Harper	Smith of Tarrant

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook

Mr. Loggins moved the previous question on Section 2 of the committee amendment, and the motion was not seconded.

Mr. Mays offered the following amendment to Section 2 of the committee amendment:

Amend committee amendment No. 1 to House Bill No. 23, Section No. 2, paragraph 3, by striking out the words after the word "purchased" on line 2, the following: "and deduct the tax so paid from payment due producer and other interest holders", and the words "so deducted" in same sentence after the word "payments".

Mr. Derden moved to table the amendment by Mr. Mays.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Nays—122

Adkins	Dean
Alexander	Deglandon
Alsup	Derden
Anderson	Dickison
Bates	Dollins
Beckworth	Donaghey
Bell	England
Blankenship	Felty
Boethel	Fielden
Boyer	Fox
Bradbury	Fuchs
Bradford	Gibson
Bridgers	Graves
Broadfoot	Hankamer
Brown	Hanna
Burton	Harbin
Carssow	Hardin
Cathey	Harper
Cauthorn	Harrell
Celaya	Harris of Archer
Colquitt	Harris of Dallas
Davis of Jasper	Harris of Dickens
Davison of Fisher	Hartzog

Herzik	Oliver
Holland	Patterson of Mills
Hoskins	Patterson
Howard	of Travis
Huddleston	Petsch
Hull	Pope
Hyder	Powell
Jackson	Prescott
Johnson of Ellis	Quinn
Johnson	Ragsdale
of Tarrant	Reed of Bowie
Jones of Angelina	Reed of Dallas
Jones of Atascosa	Rhodes
Jones of Falls	Roark
Kelt	Riddle
King	Russell
Knetsch	Schuenemann
Langdon	Settle
Lankford	Sewell
Lanning	Sharpe
Leath	Shell
Leonard	Simpson
Leyendecker	Skaggs
Little	Smith of Hopkins
Loggins	Smith
London	of Matagorda
Lucas	Smith of Tarrant
Mauritz	Stinson
McConnell	Stocks
McDonald	Talbert
McFarland	Tarwater
McKee	Tennant
McKinney	Tennyson
Metcalfe	Thornberry
Moffett	Thornton
Monkhouse	Vale
Morris	Waggoner
Morse	Weldon
Newton	Winfree
Nicholson	

Nays—12

Amos	Mays
Baker	Palmer
Farmer	Ross
Hamilton	Rutta
Kenyon	Wood
Lehman	Worley

Absent

Bond	Keefe
Callan	Keith
Cleveland	Kern
Davis of Haskell	Mann
Davisson	Reader
of Eastland	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Question—Shall committee amendment No. 1 be adopted?

EXPRESSING SYMPATHY OF THE HOUSE TO HONORABLE JAMES V. ALLRED

Mr. Colquitt offered the following resolution:

H. S. R. No. 25, Expressing sympathy of the House to Honorable James V. Allred.

Whereas, It has come to our attention that His Excellency, Honorable James V. Allred, Governor of Texas, is ill and confined to the Governor's Mansion; now, therefore, be it

Resolved, That the Members of the House of Representatives do hereby express to Governor Allred our sincere sympathy and hopes for his complete and speedy recovery; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send a beautiful bouquet of flowers to the Governor's room together with a copy of this resolution.

COLQUITT,
LONDON,
BRADBURY,
WORLEY.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Anderson, Baker, Bates, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickison, Dollins, Donaghey, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, Johnson of Ellis, Johnson of Tarrant, Jones of Angelina, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Lehman, Leonard, Leyendecker, Little, Loggins, Lucas, Mann, Mauritz, Mays, McConnell, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Rags-

dale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tarwater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Weldon, Westbrook, Winfree and Wood.

On motion of Mr. Harris of Dickens, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

RECESS

On motion of Mr. Kern, the House, at 12:10 o'clock p. m., took recess until 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 74 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 74, A bill to be entitled "An Act validating, ratifying and confirming action of all County Boards of Trustees in establishing, redefining and creating common consolidated school districts, common school districts, independent school districts, and rural high school districts, and declaring an emergency."

The bill was read second time.

Mr. Baker offered the following committee amendments to the bill:

Amend House Bill No. 74, by adding thereto a new section to be known as Section 2A, which said Section 2A shall read as follows:

"This law shall not apply to any district, the organization or creation of which is now involved in litigation, or concerning which the validity of the organization or creation, or consolidation, or annexation of territory in or to such district is attacked in any suit or litigation, filed within forty-five days after the effective date of this Act. Provided further

that this Act shall not apply to any district which may have been established, and which has later returned to its original status and has been so recognized by the proper authorities; provided, however, if and when any such litigation shall be finally terminated, in a manner favorable to such district, then this Act shall apply thereto."

Amend caption of House Bill No. 74, by adding after the words "and rural high school districts" the words "with certain exceptions", and striking out the word "all" in the second line.

The amendments were severally adopted.

House Bill No. 74 was then passed to engrossment.

HOUSE BILL NO. 74 ON THIRD READING

Mr. Baker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 74 be placed on its third reading and final passage.

The motion prevailed by the following yote:

Yeas—106

Adkins	Hamilton
Alexander	Harbin
Amos	Harper
Anderson	Harrell
Baker	Harris of Archer
Beckworth	Harris of Dallas
Bell	Herzik
Blankenship	Holland
Boethel	Hoskins
Bradbury	Hull
Bradford	Hyder
Brown	Jackson
Burton	Johnson of Ellis
Cathey	Jones of Angelina
Cauthorn	Jones of Falls
Celaya	Keefe
Cleveland	Keith
Colquitt	Kelt
Davis of Haskell	Kenyon
Davis of Jasper	Kern
Davison of Fisher	King
Deglandon	Knetsch
Derden	Langdon
Dickison	Lankford
Dollins	Lanning
Donaghey	Lehman
Farmer	Leyendecker
Felty	Little
Fielden	Loggins
Fox	London
Gibson	Lucas

Mays	Rutta	Bond	Little
McConnell	Schuenemann	Bradbury	Loggins
McKinney	Settle	Bradford	London
Metcalf	Sewell	Bridgers	Lucas
Moffett	Shell	Broadfoot	Mays
Monkhouse	Simpson	Brown	McConnell
Morris	Smith of Hopkins	Burton	McKinney
Morse	Smith	Carssow	Metcalf
Oliver	of Matagorda	Cathey	Moffett
Palmer	Smith of Tarrant	Cauthorn	Monkhouse
Patterson of Mills	Stinson	Celaya	Morris
Patterson	Stocks	Cleveland	Morse
of Travis	Talbert	Colquitt	Nicholson
Pope	Tarwater	Davis of Haskell	Palmer
Powell	Tennant	Davis of Jasper	Oliver
Prescott	Tennyson	Davison of Fisher	Patterson of Mills
Quinn	Thornberry	Deglandon	Patterson
Reader	Thornton	Derden	of Travis
Reed of Bowie	Vale	Dickison	Pope
Reed of Dallas	Waggoner	Dollins	Powell
Roark	Weldon	Donaghey	Prescott
Ross	Wood	Farmer	Quinn
Russell	Worley	Fielden	Reader
		Fox	Reed of Bowie
		Hamilton	Reed of Dallas
		Harbin	Rhodes
		Harper	Riddle
		Harrell	Roark
		Harris of Archer	Ross
		Harris of Dallas	Russell
		Harris of Dickens	Rutta
		Herzik	Schuenemann
		Holland	Settle
		Hoskins	Sewell
		Howard	Shell
		Hull	Simpson
		Hyder	Skaggs
		Jackson	Smith of Hopkins
		Johnson of Ellis	Smith
		Jones of Angelina	of Matagorda
		Jones of Falls	Smith of Tarrant
		Keefe	Stinson
		Keith	Stocks
		Kelt	Talbert
		Kenyon	Tarwater
		Kern	Tennant
		King	Tennyson
		Knetsch	Thornberry
		Langdon	Thornton
		Lankford	Vale
		Lanning	Weldon
		Lehman	Wood
		Leonard	Worley

Absent

Alsup	Huddleston
Bates	Johnson
Bond	of Tarrant
Boyer	Jones of Atascosa
Bridgers	Leath
Broadfoot	Leonard
Callan	Mann
Carssow	Mauritz
Davisson	McDonald
of Eastland	McFarland
Dean	McKee
England	Newton
Fuchs	Nicholson
Graves	Petsch
Hankamer	Ragsdale
Hanna	Rhodes
Hardin	Riddle
Harris of Dickens	Sharpe
Hartzog	Skaggs
Howard	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

The Speaker then laid House Bill No. 74 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adkins	Baker
Alexander	Bell
Alsup	Beckworth
Amos	Blankenship
Anderson	Boethel

Absent

Bates	Gibson
Boyer	Graves
Callan	Hankamer
Davisson	Hanna
of Eastland	Hardin
Dean	Hartzog
England	Huddleston
Felty	Johnson
Fuchs	of Tarrant

Jones of Atascosa	McKee
Leath	Newton
Leyendecker	Petsch
Mann	Ragsdale
Mauritz	Sharpe
McDonald	Waggoner
McFarland	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

HOUSE BILL NO. 96 ON SECOND READING

Mr. Patterson of Mills moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 96 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—112

Adkins	Harbin
Alexander	Harper
Alsup	Harrell
Amos	Harris of Archer
Anderson	Harris of Dallas
Baker	Harris of Dickens
Bates	Herzik
Beckworth	Holland
Bell	Howard
Blankenship	Huddleston
Boethel	Hull
Bond	Hyder
Bradbury	Jackson
Bradford	Johnson of Ellis
Bridgers	Jones of Angelina
Broadfoot	Jones of Falls
Brown	Keefe
Burton	Kelt
Cathey	Kenyon
Cauthorn	Kern
Celaya	King
Cleveland	Knetsch
Colquitt	Langdon
Davis of Jasper	Lankford
Davis of Haskell	Lanning
Davison of Fisher	Lehman
Derden	Leyendecker
Deglandon	Loggins
Dickison	London
Dollins	Lucas
Donaghey	Mays
Farmer	McConnell
Felty	McKinney
Fielden	Metcalf
Fox	Moffett
Graves	Monkhouse
Hamilton	Morris

Morse	Sewell
Nicholson	Shell
Oliver	Simpson
Palmer	Skaggs
Patterson of Mills	Smith of Hopkins
Patterson	Smith
of Travis	of Matagorda
Pope	Smith of Tarrant
Prescott	Stinson
Quinn	Stocks
Reader	Talbert
Reed of Bowie	Tennant
Reed of Dallas	Tennyson
Riddle	Thornberry
Roark	Thornton
Ross	Vale
Russell	Waggoner
Rutta	Weldon
Schuenemann	Wood
Settle	Worley

Absent

Boyer	Keith
Callan	Leath
Carssow	Leonard
Davisson	Little
of Eastland	Mann
Dean	Mauritz
England	McDonald
Fuchs	McFarland
Gibson	McKee
Hankamer	Newton
Hanna	Petsch
Hardin	Powell
Hartzog	Ragsdale
Hoskins	Rhodes
Johnson	Sharpe
of Tarrant	Tarwater
Jones of Atascosa	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 96, A bill to be entitled "An Act amending Article 199, Revised Statutes of Texas, Thirty-ninth Legislature, Chapter 4, page 6, 1925; providing for change in duration of term of court in the 52nd Judicial District; fixing the time of taking effect of this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 96 ON THIRD
READING

The Speaker then laid House Bill No. 96 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—116

Adkins	Keefe
Alexander	Keith
Alsup	Kelt
Amos	Kern
Anderson	King
Baker	Knetsch
Bates	Langdon
Beckworth	Lankford
Bell	Lanning
Blankenship	Lehman
Boethel	Leyendecker
Bond	Little
Boyer	Loggins
Bradbury	London
Bradford	Lucas
Bridgers	Mays
Broadfoot	McConnell
Brown	McDonald
Burton	Metcalf
Cathey	Moffett
Cauthorn	Monkhouse
Celaya	Morris
Cleveland	Morse
Colquitt	Palmer
Davis of Haskell	Oliver
Davis of Jasper	Patterson of Mills
Davison of Fisher	Patterson
Deglandon	of Travis
Derden	Pope
Dickison	Powell
Dollins	Prescott
Donaghey	Quinn
Farmer	Reader
Felty	Reed of Bowie
Fielden	Reed of Dallas
Fox	Rhodes
Gibson	Roark
Graves	Ross
Hamilton	Russell
Harbin	Rutta
Harper	Schuenemann
Harrell	Settle
Harris of Archer	Sewell
Harris of Dallas	Shell
Harris of Dickens	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Howard	Smith
Huddleston	of Matagorda
Hull	Smith of Tarrant
Hyder	Stinson
Jackson	Stocks
Johnson of Ellis	Talbert
Jones of Angelina	Tarwater
Jones of Falls	Tennant

Tennyson
Thornberry
Thornton
Vale

Waggoner
Weldon
Wood
Worley

Absent

Callan	Kenyon
Carssow	Leath
Davisson	Leonard
of Eastland	Mann
Dean	Mauritz
England	McFarland
Fuchs	McKee
Hankamer	McKinney
Hanna	Newton
Hardin	Nicholson
Hartzog	Petsch
Hoskins	Ragsdale
Johnson	Riddle
of Tarrant	Sharpe
Jones of Atascosa	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

MESSAGE FROM THE SENATE

Austin, Texas, October 13, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. B. No. 3, A bill to be entitled "An Act making certain appropriations for the support and maintenance of the executive departments and agencies of the State Government for the two-year period beginning August 31, 1937, and for other purposes, and amending Senate Bill No. 138, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

H. B. No. 10, A bill to be entitled "An Act to amend Article 1589 of the Penal Code of the State of Texas, 1925, relating to the fees to be charged by private employment agents in Texas, and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act to amend Articles 5215 and 5216 of the Revised Civil Statutes of the State of Texas, 1925, relating to the fees that may be charged applicants by private employment agents in Texas, authorizing the Commissioner of Labor to prescribe the form

of receipts, and declaring an emergency."

H. B. No. 36, A bill to be entitled "An Act to amend Section 5 of Article 8307 of the Revised Civil Statutes of the State of Texas as amended by the Act of 1931 passed by the Forty-second Legislature by adding a new section thereto to be designated as Section 5A, providing that whenever the last day for filing any notice with the Industrial Accident Board or for the filing of a suit upon appeal from the ruling of said Board shall fall on a holiday or on Sunday, that the time for the filing of such notice or such appeal, shall be extended so as to include the next succeeding business day, and making such provision applicable to all cases in which final judgment had not been rendered and to those cases pending upon appeal as well as to those pending in trial courts, and declaring an emergency." (With amendments.)

S. B. No. 6, A bill to be entitled "An Act amending Chapter 148 of the General Laws passed by the Forty-second Legislature at its Regular Session in 1931, by adding thereto a new section to be called Section 2b legalizing, approving and validating bonds voted by any city having a population of not less than 1,525 and not more than 1,550 according to any Federal Census, and by any city having a population of not less than 4,400 and not more than 4,500 according to any Federal Census, for the purpose of park improvements in and for such city and for the levy of the tax in payment of such bonds under authority of Chapter 148 of the General Laws passed by the Forty-second Legislature at its Regular Session, and declaring an emergency."

Has adopted

H. C. R. No. 37, Relative to a Special Agent for Hutchinson County.

S. C. R. No. 5, Authorizing the State Highway Department to rent or lend certain highway machinery to the City of Cameron.

S. C. R. No. 4, Granting permission to B. K. Brewer and wife to bring suit against the State Highway Department.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 23 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 23, To provide for the levying of certain taxes, etc.

The bill having heretofore been read second time, with committee amendment No. 1, pending.

The House having agreed to consider committee amendment No. 1, Section by Section, and having under consideration, at this time, Section 2 of the amendment.

Mr. Roark moved that all necessary Rules and the Rule by which the House agreed to consider the committee amendment Section by Section, be suspended, for the purpose of taking up and considering, at this time, certain amendment to be offered by Mr. Stinson.

The motion prevailed by the following vote:

Yeas—109

Adkins	Gibson
Alexander	Graves
Alsup	Hamilton
Anderson	Hankamer
Baker	Hanna
Bates	Harper
Blankenship	Harris of Archer
Boethel	Harris of Dallas
Bond	Harris of Dickens
Boyer	Hartzog
Bradbury	Hoskins
Bradford	Huddleston
Bridgers	Hull
Callan	Hyder
Carssow	Jackson
Cathey	Johnson of Ellis
Cauthorn	Johnson
Celaya	of Tarrant
Cleveland	Jones of Angelina
Colquitt	Jones of Atascosa
Davis of Haskell	Jones of Falls
Davis of Jasper	Kern
Davison of Fisher	King
Davisson	Knetsch
of Eastland	Langdon
Dean	Lanning
Deglandon	Leath
Derden	Leonard
Dickison	Leyendecker
Dollins	Little
Donaghey	London
England	Mauritz
Felty	McConnell
Fielden	McFarland
Fox	McKee
Fuchs	Metcalfe

Moffett	Sewell
Monkhouse	Shell
Morris	Simpson
Morse	Smith of Hopkins
Newton	Smith
Oliver	of Matagorda
Palmer	Smith of Tarrant
Patterson of Mills	Stinson
Petsch	Stocks
Pope	Talbert
Powell	Tarwater
Quinn	Tennant
Reader	Tennyson
Reed of Bowie	Thornberry
Reed of Dallas	Thornton
Roark	Vale
Ross	Waggoner
Russell	Winfree
Schuenemann	Wood
Settle	Worley

Nays—28

Amos	Lankford
Beckworth	Loggins
Bell	Lucas
Broadfoot	Mays
Brown	McDonald
Burton	McKinney
Farmer	Patterson
Harbin	of Travis
Harrell	Prescott
Herzik	Rhodes
Holland	Rutta
Keefe	Sharpe
Keith	Skaggs
Kelt	Weldon
Kenyon	

Present—Not Voting

Howard

Absent

Hardin	Nicholson
Lehman	Ragsdale
Mann	Riddle

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Stinson then offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, as follows:

1. Strike out the words and figures "\$1.50 per long ton" wherever such words and figures occur in Section One and insert in lieu thereof

the words and figures "\$1.25 per long ton".

2. Strike out the words and figures "four cents per barrel" wherever such words and figures occur in Section 2 and insert in lieu thereof the words and figures "3½ cents per barrel"; and strike out the words and figures "four per cent" wherever the same occur in said Section 2 and insert in lieu thereof the words and figures "3½ per cent".

3. Strike out the words and figures "4.4 per cent" wherever they occur in Section 3 and insert in lieu thereof "3¾ per cent".

4. Strike out the words and figures "1/9 of one per cent per pound" wherever they occur in Section 5 of said bill and insert in lieu thereof "1/12 of one cent per pound"; and strike out the words "4-4/10 per cent" wherever they occur in Section 5 and insert in lieu thereof "3¾ per cent".

5. Strike out the words and figures "two per cent" wherever they occur in Section 6 and insert in lieu thereof the words and figures "1-7/8 per cent"; and strike out the words and figures "two and one-half per cent" wherever they occur in Section 6 and insert in lieu thereof the words and figures "2 per cent"; and strike out the words and figures "3 per cent" wherever they occur in said Section 6 and insert in lieu thereof "2½ per cent".

6. Strike out the words and figures "1 per cent" wherever they occur in Section 7 and insert in lieu thereof "eight-tenths of one per cent (0.8 of 1%)"; and strike out the words and figures "2 per cent" wherever they occur in said Section 7 and insert in lieu thereof the words and figures "1½ per cent".

7. Strike out the words and figures "two cents" wherever they occur in Section 8 and insert in lieu thereof "one and one-half cents".

8. Strike out all of Section 9.

STINSON,
CARSSOW.

Mr. Mays raised a point of order, on further consideration of the amendment by Mr. Stinson, on the ground that the amendment is vague and indefinite.

The Speaker overruled the point of order.

Mr. Hartzog moved the previous question on the amendment by Mr. Stinson, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—81

Adkins	Knetsch
Alexander	Langdon
Alsup	Lanning
Anderson	Leath
Baker	Lehman
Bond	Leonard
Boyer	Leyendecker
Bradford	Little
Bridgers	London
Broadfoot	Mauritz
Callan	McConnell
Carssow	McFarland
Cauthorn	McKee
Celaya	Metcalfe
Cleveland	Moffett
Colquitt	Morse
Davis of Haskell	Palmer
Davison of Fisher	Petsch
Dean	Powell
Derden	Quinn
Dickison	Reader
Dollins	Reed of Bowie
Donaghey	Ross
Felty	Russell
Fox	Rutta
Hanna	Schuenemann
Harbin	Settle
Harper	Shell
Harris of Archer	Simpson
Harris of Dallas	Smith of Hopkins
Harris of Dickens	Smith
Hartzog	of Matagorda
Hoskins	Smith of Tarrant
Howard	Stinson
Huddleston	Stocks
Hull	Talbert
Jackson	Tarwater
Johnson	Tennyson
of Tarrant	Vale
Jones of Falls	Winfree
Kern	Worley
King	

Nays—56

Amos	Cathey
Bates	Davis of Jasper
Beckworth	Davisson
Bell	of Eastland
Blankenship	Deglandon
Boethel	England
Bradbury	Farmer
Brown	Fielden
Burton	Gibson

Hamilton	Morris
Hankamer	Newton
Hardin	Nicholson
Harrell	Oliver
Herzik	Patterson of Mills
Holland	Patterson
Hyder	of Travis
Johnson of Ellis	Prescott
Jones of Angelina	Reed of Dallas
Keefe	Rhodes
Keith	Roark
Kelt	Sewell
Kenyon	Sharpe
Lankford	Skaggs
Loggins	Tennant
Lucas	Thornberry
Mays	Thornton
McDonald	Waggoner
McKinney	Weldon
Monkhouse	Wood

Absent

Fuchs	Pope
Graves	Ragsdale
Jones of Atascosa	Riddle
Mann	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Question then recurring on the amendment by Mr. Stinson to the committee amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—99

Alexander	Dollins
Alsup	Donaghey
Anderson	Felty
Baker	Fielden
Bates	Fox
Blankenship	Gibson
Bond	Hamilton
Boyer	Hankamer
Bradford	Hanna
Bridgers	Hardin
Callan	Harper
Carssow	Harris of Archer
Cauthorn	Harris of Dallas
Celaya	Harris of Dickens
Cleveland	Hartzog
Colquitt	Hoskins
Davis of Haskell	Howard
Davis of Jasper	Huddleston
Davison of Fisher	Hull
Davisson	Hyder
of Eastland	Jackson
Dean	Johnson
Derden	of Tarrant
Dickison	Jones of Angelina

Kern	Reed of Bowie
King	Reed of Dallas
Knetsch	Roark
Langdon	Ross
Lanning	Russell
Leath	Rutta
Lehman	Schuenemann
Leonard	Settle
Leyendecker	Shell
Little	Simpson
London	Smith of Hopkins
Mauritz	Smith
McConnell	of Matagorda
McFarland	Smith of Tarrant
McKee	Stinson
Metcalfe	Stocks
Moffett	Talbert
Monkhouse	Tarwater
Morse	Tennant
Newton	Tennyson
Nicholson	Thornberry
Oliver	Thornton
Palmer	Vale
Petsch	Waggoner
Pope	Winfree
Powell	Wood
Quinn	Worley
Reader	

Nays—38

Adkins	Kelt
Amos	Kenyon
Beckworth	Lankford
Bell	Loggins
Boethel	Lucas
Bradbury	Mays
Brown	McDonald
Burton	McKinney
Cathey	Morris
Deglandon	Patterson of Mills
England	Patterson
Farmer	of Travis
Harbin	Prescott
Harrell	Rhodes
Herzik	Riddle
Holland	Sewell
Johnson of Ellis	Sharpe
Jones of Falls	Skaggs
Keefe	Weldon
Keith	

Absent

Broadfoot	Jones of Atascosa
Fuchs	Mann
Graves	Ragsdale

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

to the amendment, by Mr. Stinson, previously adopted.

Question recurring on the motion by Mr. Worley, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—103

Adkins	Knetsch
Amos	Langdon
Anderson	Lanning
Baker	Lehman
Bates	Leyendecker
Beckworth	London
Bell	Lucas
Blankenship	Mauritz
Boethel	Mays
Bond	McConnell
Bradbury	McDonald
Bradford	Metcalfe
Bridgers	Moffett
Broadfoot	Monkhouse
Brown	Morris
Burton	Morse
Cauthorn	Newton
Cleveland	Oliver
Colquitt	Palmer
Davis of Haskell	Patterson of Mills
Davis of Jasper	Patterson
Davison of Fisher	of Travis
Davisson	Petsch
of Eastland	Pope
Deglandon	Powell
Derden	Prescott
Dickison	Quinn
Dollins	Ragsdale
Farmer	Reader
Felty	Reed of Bowie
Fielden	Roark
Fox	Ross
Fuchs	Russell
Graves	Rutta
Hamilton	Schuenemann
Harbin	Sewell
Harper	Sharpe
Harrell	Shell
Harris of Dickens	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith of Tarrant
Huddleston	Stinson
Hull	Stocks
Hyder	Tarwater
Jackson	Tennant
Johnson of Ellis	Thornberry
Jones of Angelina	Vale
Jones of Falls	Waggoner
Keith	Weldon
Kelt	Winfree
Kern	Worley
King	

Nays—25

Alexander	Boyer
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Mr. Worley moved that all necessary Rules be suspended, for the purpose of offering certain amendment

Callan	Little
Carssow	McFarland
Dean	McKinney
Donaghey	Reed of Dallas
Gibson	Riddle
Hankamer	Settle
Hanna	Smith
Harris of Dallas	of Matagorda
Johnson	Talbert
of Tarrant	Tennyson
Jones of Atascosa	Thornton
Kenyon	Wood
Lankford	

Absent

Alsup	Keefe
Cathey	Leath
Celaya	Leonard
England	Loggins
Hardin	Mann
Harris of Archer	McKee
Hartzog	Nicholson
Howard	Rhodes

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Morris then offered the following amendment to the amendment by Mr. Stinson:

Amend Stinson amendment in Subsection 4, by changing the words and figures "1/12" wherever they occur and insert in lieu thereof the words and figures "5/48"; and change the words and figures "3½ per cent" and insert in lieu thereof the words and figures "3¾ per cent".

MORRIS,
KEEFE.

Mr. Anderson moved the previous question on the amendment by Mr. Morris, and the main question was ordered.

The amendment by Mr. Morris was then adopted.

Mr. Roark offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, by adding a new subsection on page 3, after line 3, to be known as Subsection 1(a), to read as follows:

"Sec. 1(a). Provided that all wells producing ten (10) barrels or less of oil per day of twenty-four (24) hours shall pay an occupation tax of two and three-fourths cents (2¾c) per

barrel of forty-two (42) standard gallons; and provided further, however, that the occupation tax herein levied on oil produced from wells making ten (10) barrels or less per day shall be two and three-fourths per cent (2¾%) of the market value of said oil whenever the market value is in excess of One (\$1.00) Dollar per barrel of forty-two (42) standard gallons. The market value shall be recognized as hereinabove defined. In the event this subsection shall be held unconstitutional by any court of competent jurisdiction, for any reason, the same shall not affect the validity or constitutionality of any other of the enumerated sections or parts of this bill, and in such event, all oil produced in this State shall be taxed under the provisions of Subsection (1) of this Section."

ROARK,
MOFFETT,
PRESCOTT,
HARRIS of Archer,
QUINN,
AMOS,
WORLEY,
THORNTON,
JONES of Atascosa,
SETTLE,
McFARLAND,
TENNYSON,
TARWATER.

Mr. Moffett offered the following substitute for the amendment by Mr. Roark:

Amend committee amendment No. 1 to House Bill No. 23, by adding a new subsection on page 3, after line 3, to be known as Subsection 1 (a), to read as follows:

"Section 1 (a). Provided that all marginal wells producing ten (10) barrels or less of oil per day shall pay an occupation tax of two and three-fourths cents (2¾c) per barrel of forty-two (42) standard gallons; and provided further, however, that the occupation tax herein levied on oil produced from marginal wells making ten (10) barrels or less per day shall be two and three-fourths per cent (2¾%) of the market value of said oil whenever the market value is in excess of One (\$1.00) Dollar per barrel of forty-two (42) standard gallons. The daily production of each marginal well shall be computed by taking the aggregate monthly production and dividing by the number of days in the month. The produc-

tion report of each marginal well shall be sworn under oath at the end of each month, and said report shall be presented to the Comptroller. The market value shall be recognized as hereinabove defined. In the event this subsection shall be held unconstitutional by any court of competent jurisdiction, for any reason, the same shall not affect the validity or constitutionality of any other of the enumerated sections or parts of this bill, and in such event, all oil produced in this State shall be taxed under the provisions of Subsection (1) of this Section."

MOFFETT,
HARRIS of Archer.

The substitute amendment by Mr. Moffett was adopted.

Question then recurring on the amendment by Mr. Roark, as substituted, yeas and nays were demanded.

The amendment, as substituted, was adopted by the following vote:

Yeas—107

Adkins	Hanna
Alexander	Harbin
Alsup	Hardin
Anderson	Harper
Baker	Harris of Archer
Blankenship	Harris of Dallas
Boethel	Harris of Dickens
Bond	Hartzog
Boyer	Holland
Bradbury	Hoskins
Bradford	Hull
Bridgers	Hyder
Callan	Jackson
Cathey	Johnson of Ellis
Cauthorn	Johnson
Celaya	of Tarrant
Cleveland	Jones of Atascosa
Colquitt	Jones of Falls
Davis of Jasper	Kenyon
Davison of Fisher	Kern
Davisson	King
of Eastland	Knetsch
Dean	Langdon
Deglandon	Lanning
Dickison	Lehman
Dollins	Little
Donaghey	Loggins
England	London
Felty	Mauritz
Fielden	McConnell
Fox	McFarland
Fuchs	McKee
Gibson	Metcalfe
Graves	Moffett
Hamilton	Monkhouse
Hankamer	Morris

Morse	Sharpe
Newton	Shell
Nicholson	Simpson
Oliver	Smith of Hopkins
Patterson of Mills	Smith
Petsch	of Matagorda
Pope	Smith of Tarrant
Powell	Stocks
Prescott	Stinson
Quinn	Talbert
Ragsdale	Tarwater
Reader	Tennant
Reed of Dallas	Tennyson
Riddle	Thornberry
Roark	Thornton
Rutta	Vale
Schuenemann	Winfree
Settle	Wood
Sewell	Worley

Nays—25

Amos	Lankford
Bates	Lucas
Beckworth	Mays
Bell	McDonald
Broadfoot	Palmer
Brown	Patterson
Derden	of Travis
Herzik	Reed of Bowie
Howard	Rhodes
Jones of Angelina	Ross
Keefe	Russell
Keith	Waggoner
Kelt	Weldon

Absent

Burton	Leath
Carsow	Leonard
Davis of Haskell	Leyendecker
Farmer	Mann
Harrell	McKinney
Huddleston	Skaggs

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. England offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1, by adding a section to be Section 9, to read as follows:

Section 9 (A). The following words, terms and phrases as used in this Section are hereby defined as follows:

"(1) The term 'Person' as used herein shall mean and include every individual, firm, association, joint stock company, syndicate, co-partner-

ship, corporation, trustee, agency or receiver.

"(2) The term 'Admission' as used herein shall be construed to mean any charge made or fee collected for entrance or admission to any place and shall include any charge made or fee collected for seats and tables reserved or otherwise and other similar accommodations, and the charges made therefor. Cover charges and all other similar service or accommodation charges shall be construed as an admission charge. If both an entrance fee and a charge for a seat or table or other similar accommodation are made and collected, the entrance fee and the charge made for the other accommodation shall be cumulative and shall be construed as one admission charge.

"(3) The term 'Comptroller' as used herein shall mean the Comptroller of Public Accounts of the State of Texas.

"(4) The term 'Continuous Performance' as used herein shall be construed to mean any place subject to the tax levied herein which is open for admission in the same location from day to day for a period of a calendar month or more.

"(5) The term 'Theatrical Enterprises' as used herein shall mean and include spoken plays or performances, whether or not with musical parts or accompaniments, commonly known and referred to as legitimate theatre performances, and shall include moving picture theatres and other mechanical reproductions of plays, performances, exhibitions, contests and current national or world events.

"(6) The term 'Other Amusement or Enterprises' as used herein shall mean and include horse racing, dog racing, motorcycle racing, automobile racing and like mechanical or animal contests and exhibitions; dance halls, night clubs, skating rinks and any and all other like place of amusement, contests and exhibitions."

"(B) A tax of one cent (1c) for each ten cents (10c) or fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription, is hereby levied and shall be paid to the Treasurer of the State of Texas through the Comptroller by the person receiving payment for such admissions. Provided, however, that no tax shall be imposed on "theatrical enterprises or other amusements or

enterprises" as those terms are hereinabove defined when the amount charged for admission is less than forty-one cents (41c) per person. In the case of persons (except bona fide employees, State and municipal officers on official business, and children under twelve years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be paid based on the price so paid by such other persons for the same or similar accommodations.

"(C). Every person receiving payments for admission to any place subject to the tax levied herein shall make and file with or transmit by the United States mail to the Comptroller in Austin, Travis County, Texas, a report showing the gross amount received, the price or fee paid and the number of tickets sold in each price range, the number of season tickets sold, the number of persons admitted on complimentary tickets upon which a tax is due and any other information the Comptroller may require. Said reports shall be properly sworn to and executed by the person receiving payments for said admissions and shall be filed with or mailed by registered mail to the Comptroller the day following the receiving of such payments. Provided, however, that any person operating a place of "continuous performance" as that term is hereinabove defined may, in lieu of filing the daily reports, make and file with the Comptroller a monthly report on the tenth day of each month showing the foregoing information for the preceding calendar month. Every person required to make such reports shall, at the time of filing or mailing the report, pay to the Treasurer of this State through the Comptroller the amount of the tax due for admission fees received during the period covered by said report. Provided further, that the Comptroller may at his discretion authorize his representatives or agents to verify and collect the tax levied herein from persons required to make daily reports at the time payments for admission are received or at the time admission tickets previously sold by said person are collected upon admission. Such authorized representatives shall issue a temporary receipt in duplicate for all such money collected by him and the

person paying such tax shall attach the duplicate of said receipt to the daily report required to be made and filed with or mailed to the Comptroller.

"(D). Every operator of any place of continuous performance in which an admission tax accrues shall keep for a period of one (1) year for the inspection at all times of the Comptroller and the Attorney General of this State or their duly authorized representatives a book record containing all the information required to be shown on the report described in the preceding subsection.

"(E). The tax levied herein shall not apply to any admissions all the proceeds of which inure (1) exclusively to the benefit of religious, educational or charitable institutions, societies or organizations, societies for the prevention of cruelty to children or animals, or societies or organizations conducted for the sole purpose of improving any city, town, village, community or other municipality, if no part of the earnings thereof inures to the benefit of any private stockholder, or individual; or (2) exclusively to persons who have served in the military or naval forces of the United States and are in need; or (3) exclusively to the benefit of National Guard organizations, or organizations of war veterans, or auxiliary units or societies of any such organization, if no part of their net earnings inures to the benefit of any private stockholder or individual; or (4) exclusively to the benefit of members of the police or fire department of any city, town, village, community, or other municipality, or the dependents or heirs of such members.

The said tax levied herein shall not apply to any admissions all the proceeds of which are used exclusively for the improvement, maintenance and operation of State, town, village, community, municipal, and county fairs or agricultural fairs, if no part of the net earnings inures to the benefit of any private stockholder, organization, or individual connected with or exhibiting in such fair grounds.

"(F). The price or fee charged for admission and the amount of the tax due shall be printed or stamped separately on that part of every admission ticket which is to be taken up by the manager of any place of amusement together with the name

of the vendor if sold other than at the ticket office of such place of amusement.

"(G). The tax herein levied shall be a joint liability of the owner and operator of any place where an admission price or fee is charged, and, in the event any person owning or operating any such place shall fail or refuse to pay said tax on the date required herein to be paid, he shall forfeit to the State the sum of not less than Twenty-five (\$25.00) Dollars nor more than Two Hundred (\$200.00) Dollars for each violation and each day's delinquency shall constitute a separate offense. The State of Texas shall have a prior lien for all delinquent taxes and penalties on all property used by the owner or operator of any such place, and the Attorney General of this State may file suit for the collection of such tax and penalties in any District Court of Travis County, Texas, and for the foreclosure of such lien, and may enjoin the operation of any such business or place until such tax has been paid.

"(H). Any person required herein to pay any tax, or to make and file a report, keep any records, or supply any information for the purpose of computation, assessment, or collection of any tax levied herein, who fails and refuses (a) to pay such tax, (b) make and file such reports, (c) keep such records, or (d) supply such information, at the time or times required by law, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not less than Twenty-five (\$25.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or confined in jail for not less than one (1) month nor more than six (6) months or both such fine and imprisonment.

"(I). It is hereby made the duty of the Comptroller to collect, supervise, and enforce the collection of the tax levied herein and all persons subject to such tax shall permit him or his authorized representatives to enter upon the premises where such admission fees are collected and shall supply him or such representatives with all records and information necessary to compute the amount of the tax due. Said Comptroller shall also have the power and authority to make and publish rules and regulations, not inconsistent with the pro-

visions herein or the other laws or the Constitution of this State or of the United States, for the enforcement of the provisions herein and the collection of the revenues hereunder. Provided further, that Five Thousand (\$5,000.00) Dollars of the funds derived under the provisions of this Act shall be set aside annually in a special fund subject to the use of the Comptroller and so much of said fund as may be needed shall be expended for the printing of report forms and receipts for the administration and enforcement of the provisions of this Act and such amount is hereby appropriated for said purposes, same to be expended as needed; any unexpended portion of said fund so specified shall at the end of the biennium be paid into the General Revenue Fund of the State of Texas. Provided, however, that any salaries so here authorized to be paid shall not exceed in any particular the amount specified in the general appropriation bill setting salaries for State employees, for the same, or similar services.

"(J). All taxes, penalties and interest accruing to the State of Texas by virtue of any of the amended or repealed provisions as set out in this Act before the effective date thereof shall be and remain valid and binding obligations to the State of Texas, and all such taxes, penalties and interest now or hereafter becoming delinquent to the State before the effective date of this Act are hereby expressly preserved and declared to be legal and valid obligations to the State.

"(K). That Section 6, Article III, House Bill No. 8, Acts of the Third Called Session of the Forty-fourth Legislature; as amended by House Bill No. 377, Acts of the Regular Session of the Forty-fifth Legislature, be and the same are hereby repealed."

Mr. Wood moved to table the amendment by Mr. England.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—97

Adkins	Boethel
Alexander	Boyer
Amos	Bridgers
Anderson	Bradford
Bates	Callan
Blankenship	Carssow

Cathey	Mays
Celaya	McConnell
Cleveland	McFarland
Colquitt	McKee
Davison of Fisher	McKinney
Dean	Moffett
Derden	Morse
Dickison	Newton
Dollins	Nicholson
Donaghey	Patterson
Felty	of Travis
Fielden	Pope
Fox	Powell
Gibson	Prescott
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reader
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harper	Rhodes
Harrell	Riddle
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Schuenemann
Holland	Settle
Hoskins	Sewell
Howard	Shell
Huddleston	Simpson
Hull	Smith
Hyder	of Matagorda
Jackson	Smith of Tarrant
Johnson of Ellis	Stinson
Jones of Atascosa	Stocks
Jones of Falls	Talbert
Keith	Tarwater
Kenyon	Tennant
Knetsch	Tennyson
Langdon	Thornberry
Lanning	Thornton
Lehman	Vale
Leonard	Waggoner
Leyendecker	Winfree
Little	Wood
Loggins	

Nays—33

Alsup	Kelt
Baker	Kern
Beckworth	King
Bell	Lankford
Bond	Lucas
Bradbury	McDonald
Broadfoot	Metcalf
Brown	Morris
Burton	Oliver
Cauthorn	Palmer
Davis of Jasper	Patterson of Mills
Deglandon	Roark
England	Ross
Farmer	Skaggs
Fuchs	Smith of Hopkins
Herzik	Weldon
Jones of Angelina	

Present—Not Voting

Worley

Absent

Davis of Haskell	Leath
Davisson	London
of Eastland	Mann
Graves	Mauritz
Harris of Dickens	Monkhouse
Johnson	Petsch
of Tarrant	Sharpe
Keefe	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Mays offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, by adding a new section to Section No. 1 to be known as No. 1a. "There is hereby levied an occupation on salt amounting to One (\$1.00) Dollar per long ton. The same provisions to apply in the administration and collection as set forth in Section No. 1, 40a."

Mr. Alsup moved to table the amendment by Mr. Mays.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—77

Alexander	Harrell
Alsup	Harris of Archer
Baker	Harris of Dallas
Blankenship	Hartzog
Boethel	Herzik
Bradbury	Howard
Bradford	Hull
Bridgers	Jackson
Burton	Johnson of Ellis
Callan	Johnson
Carssow	of Tarrant
Cathey	Jones of Atascosa
Cauthorn	Keefe
Colquitt	Kelt
Deglandon	Kern
Derden	King
Dickison	Knetsch
Dollins	Langdon
England	Lankford
Felty	Lanning
Fielden	Lucas
Gibson	McConnell
Hankamer	McKee
Hanna	Metcalfe

Moffett	Sewell
Monkhouse	Sharpe
Morris	Shell
Morse	Simpson
Newton	Smith
Oliver	of Matagorda
Patterson of Mills	Smith of Tarrant
Patterson	Stinson
of Travis	Talbert
Pope	Tarwater
Reader	Tennant
Reed of Dallas	Thornton
Rhodes	Vale
Roark	Weldon
Russell	Winfree
Schuenemann	Wood

Nays—54

Adkins	Jones of Angelina
Amos	Jones of Falls
Anderson	Keith
Bates	Kenyon
Beckworth	Lehman
Bell	Leyendecker
Bond	Little
Boyer	Loggins
Broadfoot	London
Brown	Mays
Cleveland	McFarland
Davis of Jasper	Nicholson
Davison of Fisher	Petsch
Davisson	Powell
of Eastland	Prescott
Dean	Quinn
Donaghey	Ragsdale
Farmer	Reed of Bowie
Fuchs	Rutta
Graves	Settle
Hamilton	Skaggs
Harbin	Smith of Hopkins
Hardin	Stocks
Harper	Tennyson
Harris of Dickens	Thornberry
Hoskins	Waggoner
Huddleston	Worley
Hyder	

Absent

Celaya	Mauritz
Davis of Haskell	McDonald
Fox	McKinney
Holland	Palmer
Leath	Riddle
Leonard	Ross
Mann	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Moffett moved that all necessary Rules be suspended for the purpose of taking up and considering,

at this time, certain amendment dealing with the "allocation of funds."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—83

Adkins	Langdon
Alexander	Lanning
Alsup	Lehman
Anderson	Leonard
Baker	London
Bates	Mauritz
Boethel	McConnell
Boyer	McDonald
Bradbury	McFarland
Bridgers	McKee
Broadfoot	Metcalfe
Callan	Moffett
Cauthorn	Morris
Cleveland	Morse
Davis of Jasper	Newton
Davisson	Oliver
of Eastland	Patterson of Mills
Deglandon	Petsch
Derden	Pope
Dickison	Powell
Dollins	Quinn
Fielden	Ragsdale
Fox	Reader
Fuchs	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Roark
Harbin	Ross
Harper	Russell
Harrell	Rutta
Harris of Archer	Settle
Harris of Dallas	Sewell
Harris of Dickens	Simpson
Holland	Skaggs
Hoskins	Smith of Hopkins
Huddleston	Smith of Tarrant
Hyder	Stocks
Johnson of Ellis	Talbert
Jones of Angelina	Tarwater
Jones of Atascosa	Tennyson
Kern	Thornberry
King	Thornton
Knetsch	Vale

Nays—50

Amos	Donaghey
Beckworth	Farmer
Bell	Felty
Blankenship	Gibson
Bond	Hanna
Bradford	Hardin
Brown	Hartzog
Carsow	Howard
Cathey	Jackson
Celaya	Johnson
Colquitt	of Tarrant
Dean	Jones of Falls

Keefe	Rhodes
Keith	Riddle
Kelt	Schuenemann
Kenyon	Sharpe
Lankford	Shell
Leyendecker	Smith
Little	of Matagorda
Loggins	Stinson
Lucas	Tennant
Mays	Waggoner
McKinney	Weldon
Monkhouse	Winfree
Patterson	Wood
of Travis	Worley
Prescott	

Present—Not Voting

Herzik

Absent

Burton	Hull
Davis of Haskell	Leath
Davison of Fisher	Mann
England	Nicholson
Graves	Palmer

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Roark moved that the debate for each speaker, on each amendment, be limited to four minutes each.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—79

Adkins	Harbin
Alsup	Harper
Anderson	Harrell
Baker	Harris of Archer
Beckworth	Harris of Dallas
Boethel	Harris of Dickens
Bond	Herzik
Bradbury	Holland
Bridgers	Huddleston
Brown	Hyder
Burton	Jones of Angelina
Callan	Jones of Falls
Cleveland	Kelt
Davis of Haskell	Kern
Davis of Jasper	King
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lehman
Dickison	Leonard
Fielden	Leyendecker
Fox	London
Fuchs	Lucas
Graves	McConnell
Hamilton	McDonald

McFarland	Roark
Metcalfe	Ross
Moffett	Russell
Monkhouse	Rutta
Morris	Settle
Morse	Sharpe
Newton	Skaggs
Oliver	Smith of Hopkins
Patterson of Mills	Smith of Tarrant
Patterson	Stocks
of Travis	Talbert
Powell	Tarwater
Prescott	Thornberry
Quinn	Waggoner
Ragsdale	Weldon
Reader	Worley
Reed of Bowie	

Nays—53

Alexander	Jones of Atascosa
Amos	Keefe
Bell	Keith
Blankenship	Kenyon
Boyer	Lanning
Bradford	Little
Carssow	Loggins
Cathey	Mauritz
Cauthorn	Mays
Celaya	McKee
Colquitt	McKinney
Davison of Fisher	Nicholson
Dean	Pope
Derden	Reed of Dallas
Donaghey	Rhodes
Farmer	Riddle
Gibson	Schuenemann
Hankamer	Sewell
Hanna	Shell
Hardin	Smith
Hartzog	of Matagorda
Hoskins	Stinson
Howard	Tennant
Hull	Thornton
Jackson	Vale
Johnson of Ellis	Winfree
Johnson	Wood
of Tarrant	

Absent

Bates	Leath
Broadfoot	Mann
Dollins	Palmer
England	Petsch
Felty	Simpson
Knetsch	Tennyson

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Farmer offered the following amendment to committee amendment No. 1:

Amend House Bill No. 23, as follows: Add a new Section on page 4 after line 35 to be numbered Section 2a and to read, as follows:

"Section 2a. There is hereby levied a tax of ten cents (10c) per acre each year on all leasehold mineral leases in Texas where there is a lack of bona fide development by the leasehold interest holder.

"And said bona fide development shall be on each ten (10) acres on any such lease. The Comptroller of Public Accounts shall make rules and regulations for the collection of such taxes and the determination of the existence of such leases. He shall collect the tax herein provided.

"All such leasehold interests hereafter made shall pay such tax and failure to pay such tax by such leasehold interest holders, shall cause such leasehold interest to be voidable."

Mr. Morris moved the previous question on the amendment by Mr. Farmer, and the main question was ordered.

(Mr. Alexander in the Chair.)

Mr. Anderson moved to table the amendment by Mr. Farmer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—87

Anderson	Graves
Baker	Hankamer
Bates	Harbin
Beckworth	Harris of Archer
Blankenship	Harris of Dallas
Boethel	Harris of Dickens
Bond	Hartzog
Boyer	Holland
Bradbury	Hoskins
Bradford	Howard
Bridgers	Hyder
Burton	Jackson
Callan	Johnson
Carssow	of Tarrant
Celaya	Jones of Angelina
Cleveland	Jones of Atascosa
Colquitt	King
Davison of Fisher	Knetsch
Davison	Lanning
of Eastland	Leath
Dean	Leonard
Derden	Leyendecker
Dollins	Little
Donaghey	Loggins
Fielden	London
Fox	Mauritz
Gibson	Mays

McConnell	Settle
McDonald	Shell
McFarland	Simpson
McKee	Smith of Hopkins
McKinney	Smith
Metcalfe	of Matagorda
Monkhouse	Smith of Tarrant
Morris	Stinson
Morse	Stocks
Nicholson	Talbert
Oliver	Tarwater
Pope	Tennant
Quinn	Thornberry
Ragsdale	Thornton
Reader	Vale
Reed of Dallas	Waggoner
Riddle	Winfree
Schuenemann	Wood

Nays—43

Adkins	Kenyon
Alsup	Kern
Amos	Langdon
Bell	Lankford
Broadfoot	Lehman
Brown	Lucas
Cathey	Newton
Cauthorn	Palmer
Davis of Jasper	Patterson of Mills
Deglandon	Patterson
Dickison	of Travis
Farmer	Powell
Fuchs	Prescott
Hamilton	Reed of Bowie
Hanna	Rhodes
Harper	Roark
Harrell	Ross
Huddleston	Russell
Johnson of Ellis	Rutta
Keefe	Sewell
Keith	Sharpe
Kelt	Weldon

Present—Not Voting

Herzik

Absent

Alexander	Mann
Davis of Haskell	Moffett
England	Petsch
Felty	Skaggs
Hardin	Tennyson
Hull	Worley
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Farmer offered the following amendment to committee amendment No. 1:

Amend House Bill No. 23, as follows: On page 4 after line 31 insert a new subsection to be numbered (10) to read, as follows:

"(10) On all crude oil pipe lines in the State of Texas there shall be a meter capable of accurately measuring all crude oil that said pipe lines may transport for hire or sale from the source of production in Texas, so that the State of Texas may have an accurate determination and account of all crude oil produced so that it may collect all taxes thereon. It shall be the duty of the Railroad Commission to see that such meters are forthwith installed upon the effective date of this Act at the proper places in the State of Texas to carry out the requirements of this Section. The failure of the Railroad Commission to carry out the provision of this Act shall be grounds for impeachment and removal from office of any member of said Commission. All pipe lines are required to install such meters as directed by the Railroad Commission and the failure of any pipe line company, corporation, association or partnership acting by its proper officials shall subject such corporation, company, association, partnership, or individual owning such pipe line to punishment by a fine of not less than Five Thousand (\$5,000.00) Dollars nor more than Ten Thousand (\$10,000.00) Dollars for each such offense. And each day of refusal or neglect to install such meter at the direction of the Railroad Commission shall constitute a separate offense and shall be punishable accordingly.

"The Railroad Commission shall provide proper rules and regulations for the installation, reading and keeping account of the runs of such crude oil through such meters, and keep an accurate account of all such oil so that the Comptroller of Public Accounts may be enabled to check against such total runs of crude oil by such pipe lines.

"And such pipe lines shall be required to give an accounting of all crude oil so taken for transportation through their lines from whom such was taken and where, and such pipe lines shall pay the tax on the excess found to exist over the amount of crude oil said to be produced by the different producers."

Mr. Quinn moved that all necessary Rules be suspended for the purpose of making a motion to limit the de-

bate upon each amendment to five minutes.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—82

Adkins	Langdon
Alsup	Leath
Anderson	Lehman
Baker	Leonard
Beckworth	Little
Boethel	Lucas
Bond	McConnell
Bradbury	McDonald
Bridgers	McKee
Broadfoot	Metcalf
Brown	Moffett
Burton	Monkhouse
Callan	Morris
Carssow	Morse
Cauthorn	Newton
Cleveland	Oliver
Davis of Jasper	Palmer
Davisson	Patterson of Mills
of Eastland	Patterson
Deglandon	of Travis
Derden	Powell
Dickison	Prescott
Dollins	Ragsdale
Felty	Quinn
Fielden	Reader
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Graves	Roark
Hamilton	Ross
Harbin	Russell
Harper	Rutta
Harrell	Settle
Harris of Archer	Simpson
Harris of Dickens	Smith of Hopkins
Holland	Smith of Tarrant
Hoskins	Stocks
Huddleston	Talbert
Jones of Angelina	Tarwater
Keefe	Thornberry
Kelt	Waggoner
Kern	Weldon
King	Worley

Nays—51

Amos	Hankamer
Bell	Hanna
Blankenship	Hardin
Boyer	Harris of Dallas
Bradford	Hartzog
Cathey	Herzik
Celaya	Howard
Colquitt	Hyder
Davison of Fisher	Jackson
Dean	Johnson of Ellis
Donaghey	Johnson
Farmer	of Tarrant
Gibson	Jones of Atascosa

Keith	Riddle
Kenyon	Schuenemann
Knetsch	Sewell
Lankford	Sharpe
Lanning	Shell
Leyendecker	Smith
Loggins	of Matagorda
Mauritz	Stinson
Mays	Tennant
McFarland	Tennyson
McKinney	Thornton
Nicholson	Winfree
Pope	Wood
Rhodes	

Absent

Alexander	London
Bates	Mann
Davis of Haskell	Petsch
England	Skaggs
Hull	Vale
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Thornton moved to table the amendment by Mr. Farmer.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—34

Boyer	Morse
Bradford	Nicholson
Carssow	Oliver
Celaya	Pope
Colquitt	Quinn
Dean	Reed of Dallas
Hankamer	Riddle
Harris of Archer	Roark
Harris of Dallas	Schuenemann
Hoskins	Shell
Hyder	Simpson
Jackson	Smith of Tarrant
Jones of Atascosa	Stinson
Leonard	Tarwater
Mauritz	Thornton
McFarland	Winfree
McKee	Wood

Nays—95

Adkins	Boethel
Alsup	Bond
Amos	Bradbury
Anderson	Bridgers
Baker	Broadfoot
Bates	Brown
Beckworth	Burton
Bell	Callan

Cathey	Lanning
Cauthorn	Leath
Cleveland	Lehman
Davis of Jasper	Leyendecker
Davison of Fisher	Loggins
Davisson	Lucas
of Eastland	Mays
Deglandon	McConnell
Derden	McDonald
Dickison	Metcalf
Dollins	Monkhouse
Donaghey	Morris
Farmer	Newton
Fielden	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Graves	Petsch
Hamilton	Powell
Hanna	Prescott
Harbin	Ragsdale
Hardin	Reader
Harper	Reed of Bowie
Harrell	Rhodes
Harris of Dickens	Ross
Herzik	Russell
Holland	Rutta
Howard	Sewell
Huddleston	Sharpe
Hull	Skaggs
Johnson of Ellis	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda
Jones of Angelina	Stocks
Keefe	Talbert
Keith	Tennant
Kelt	Thornberry
Kern	Vale
King	Waggoner
Knetsch	Weldon
Langdon	Worley
Lankford	

Absent

Alexander	Little
Blankenship	London
Davis of Haskell	Mann
England	McKinney
Felty	Moffett
Hartzog	Settle
Jones of Falls	Tennyson
Kenyon	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

(Speaker in the Chair.)

Mr. Nicholson raised a point of order, on further consideration of the amendment by Mr. Farmer, on the ground that the amendment is not germane.

The Speaker overruled the point of order.

Question then recurring on the amendment by Mr. Farmer, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—107

Adkins	Jones of Angelina
Alsup	Keefe
Amos	Keith
Anderson	Kelt
Baker	Kenyon
Bates	Kern
Beckworth	King
Bell	Knetsch
Blankenship	Langdon
Boethel	Lankford
Bond	Lanning
Bradbury	Leath
Bridgers	Lehman
Broadfoot	Leyendecker
Brown	Little
Burton	Lucas
Callan	McConnell
Cathey	McDonald
Cauthorn	Metcalf
Celaya	Monkhouse
Cleveland	Morris
Colquitt	Newton
Davis of Haskell	Oliver
Davis of Jasper	Palmer
Davison of Fisher	Patterson of Mills
Davisson	Patterson
of Eastland	of Travis
Dean	Petsch
Deglandon	Powell
Derden	Prescott
Dickison	Ragsdale
Dollins	Reader
Donaghey	Reed of Bowie
England	Reed of Dallas
Farmer	Rhodes
Fielden	Roark
Fox	Ross
Fuchs	Russell
Gibson	Rutta
Graves	Settle
Hamilton	Sewell
Hanna	Sharpe
Harbin	Skaggs
Hardin	Smith of Hopkins
Harper	Smith of Tarrant
Harrell	Stocks
Harris of Dallas	Talbert
Harris of Dickens	Tennant
Herzik	Thornberry
Holland	Vale
Huddleston	Waggoner
Hull	Weldon
Hyder	Wood
Johnson of Ellis	Worley
Johnson	
of Tarrant	

Nays—23

Bradford	Nicholson
Carssow	Pope
Hankamer	Quinn
Harris of Archer	Schuenemann
Hartzog	Shell
Hoskins	Simpson
Howard	Stinson
Jackson	Tarwater
Jones of Atascosa	Tennyson
McFarland	Thornton
McKee	Winfree
Morse	

Absent

Alexander	Mauritz
Boyer	Mays
Felty	McKinney
Jones of Falls	Moffett
Leonard	Riddle
Loggins	Smith
London	of Matagorda
Mann	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Farmer moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Morris moved that all necessary Rules be suspended for the purpose of taking up and considering, at this time, Section 10, of committee amendment No. 1.

The motion prevailed by the following vote:

Yeas—97

Adkins	Dean
Alsup	Deglandon
Amos	Derden
Anderson	Dickison
Baker	Dollins
Bates	Farmer
Beckworth	Felty
Boethel	Fielden
Bradbury	Fox
Bridgers	Fuchs
Broadfoot	Graves
Brown	Hamilton
Callan	Harbin
Carssow	Hardin
Cathey	Harper
Cauthorn	Harrell
Cleveland	Harris of Archer
Davis of Haskell	Harris of Dickens
Davis of Jasper	Herzik
Davison of Fisher	Holland
Davison	Huddleston
of Eastland	Hyder

Johnson of Ellis	Petsch
Jones of Angelina	Prescott
Jones of Atascosa	Quinn
Keefe	Ragsdale
Kelt	Reader
Kern	Reed of Bowie
King	Reed of Dallas
Knetsch	Rhodes
Lankford	Roark
Lanning	Ross
Leath	Russell
Lehman	Rutta
Leonard	Sewell
Leyendecker	Sharpe
Langdon	Simpson
London	Skaggs
Mauritz	Smith of Hopkins
McConnell	Smith of Tarrant
McDonald	Stinson
Metcalf	Stocks
Moffett	Talbert
Morris	Tarwater
Morse	Thornberry
Newton	Waggoner
Oliver	Weldon
Palmer	Winfree
Patterson of Mills	Wood

Nays—42

Bell	Loggins
Blankenship	Lucas
Bond	Mays
Boyer	McFarland
Bradford	McKee
Burton	McKinney
Celaya	Monkhouse
Colquitt	Nicholson
Donaghey	Patterson
Gibson	of Travis
Hankamer	Pope
Hanna	Riddle
Harris of Dallas	Schuenemann
Hartzog	Settle
Hoskins	Shell
Howard	Smith
Hull	of Matagorda
Jackson	Tennant
Johnson	Tennyson
of Tarrant	Thornton
Keith	Vale
Kenyon	Worley
Little	

Absent

Alexander	Mann
England	Powell
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Broadfoot offered the following amendment to Section 10 of the committee amendment:

Amend committee amendment No. 1 to House Bill No. 23, by inserting immediately after the word "Fund" in line 7, page 19, the following: "for the benefit of the aged needy who are dependent, either wholly or in part, upon others for support, and who are otherwise qualified under the Constitution to receive old age assistance".

BROADFOOT,
HARRELL,
HOLLAND,
BECKWORTH,
AMOS,
TALBERT,
LEHMAN,
JOHNSON of Ellis,
OLIVER,
BRADBURY.

Mr. Colquitt moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Anderson moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Bond moved that the House recess until 7:30 o'clock p. m., today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—23

Celaya	McKee
Colquitt	McKinney
Donaghey	Nicholson
Hankamer	Pope
Hoskins	Riddle
Howard	Schuenemann
Jackson	Shell
Johnson	Smith
of Tarrant	of Matagorda
Jones of Atascosa	Tennant
Keith	Thornton
Kenyon	Vale
Leath	

Nays—117

Adkins	Bond
Alexander	Boyer
Alsup	Bradbury
Amos	Bradford
Anderson	Bridgers
Baker	Broadfoot
Bates	Brown
Beckworth	Burton
Bell	Callan
Blankenship	Carsow
Boethel	Cathey

Cauthorn	London
Cleveland	Lucas
Davis of Haskell	Mauritz
Davis of Jasper	Mays
Davison of Fisher	McConnell
Davisson	McDonald
of Eastland	McFarland
Dean	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
Dollins	Morse
England	Newton
Farmer	Oliver
Felty	Palmer
Fielden	Patterson of Mills
Fox	Patterson
Fuchs	of Travis
Gibson	Petsch
Graves	Powell
Hamilton	Prescott
Hanna	Quinn
Harbin	Ragsdale
Hardin	Reader
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Roark
Harris of Dickens	Ross
Herzik	Russell
Holland	Rutta
Huddleston	Sewell
Hull	Sharpe
Hyder	Simpson
Johnson of Ellis	Skaggs
Jones of Angelina	Smith of Hopkins
Keefe	Smith of Tarrant
Kelt	Stinson
Kern	Stocks
King	Talbert
Knetsch	Tarwater
Langdon	Tennyson
Lankford	Thornberry
Lanning	Waggoner
Lehman	Weldon
Leonard	Winfree
Leyendecker	Wood
Little	Worley
Loggins	

Absent

Hartzog	Mann
Jones of Falls	Settle

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Question next recurring on the motion to recess until 7:30 o'clock p. m., today, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—33

Adkins	Kelt
Amos	King
Boethel	Knetsch
Bond	Leath
Bradford	McFarland
Bridgers	Palmer
Brown	Patterson
Davis of Haskell	of Travis
Davisson	Prescott
of Eastland	Quinn
Dickison	Reed of Dallas
Fielden	Rhodes
Fuchs	Sharpe
Hoskins	Tennyson
Howard	Thornberry
Huddleston	Waggoner
Johnson of Ellis	Wood
Keith	

Nays—104

Alexander	Hyder
Alsup	Jackson
Anderson	Johnson
Baker	of Tarrant
Bates	Jones of Angelina
Beckworth	Jones of Atascosa
Bell	Keefe
Blankenship	Kenyon
Boyer	Kern
Bradbury	Langdon
Broadfoot	Lankford
Burton	Lanning
Callan	Lehman
Carssow	Leonard
Cathey	Leyendecker
Cauthorn	Little
Celaya	Loggins
Cleveland	London
Colquitt	Lucas
Davis of Jasper	Mauritz
Davison of Fisher	Mays
Dean	McConnell
Deglandon	McDonald
Derden	McKee
Dollins	McKinney
Donaghey	Metcalfe
England	Moffett
Farmer	Monkhouse
Felty	Morris
Fox	Morse
Gibson	Newton
Graves	Nicholson
Hamilton	Oliver
Hankamer	Patterson of Mills
Hanna	Petsch
Hardin	Pope
Harper	Powell
Harrell	Reader
Harris of Archer	Reed of Bowie
Harris of Dallas	Riddle
Harris of Dickens	Roark
Holland	Ross
Hull	Russell

Rutta	Stinson
Schuenemann	Stocks
Sewell	Talbert
Shell	Tarwater
Simpson	Tennant
Skaggs	Thornton
Smith of Hopkins	Vale
Smith	Weldon
of Matagorda	Winfree
Smith of Tarrant	Worley

Present—Not Voting

Herzik

Absent

Harbin	Mann
Hartzog	Ragsdale
Jones of Falls	Settle

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Question then recurring on the motion to recess until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—46

Alexander	Little
Anderson	Loggins
Blankenship	Mauritz
Boyer	Mays
Bradford	McFarland
Cathey	McKee
Celaya	McKinney
Colquitt	Monkhouse
Dean	Nicholson
Donaghey	Pope
Felty	Rhodes
Gibson	Riddle
Hankamer	Schuenemann
Hanna	Shell
Hardin	Smith of Hopkins
Harris of Dallas	Smith
Hoskins	of Matagorda
Howard	Tennant
Jackson	Tennyson
Jones of Atascosa	Thornton
Keith	Vale
Kenyon	Waggoner
Lanning	Winfree
Leath	

Nays—93

Adkins	Bell
Alsup	Boethel
Amos	Bond
Baker	Bradbury
Bates	Bridgers
Beckworth	Broadfoot

Brown	Lehman
Burton	Leonard
Callan	Leyendecker
Carssow	London
Cauthorn	Lucas
Cleveland	McConnell
Davis of Haskell	McDonald
Davison of Fisher	Metcalfe
Davisson	Moffett
of Eastland	Morris
Deglandon	Morse
Derden	Newton
Dickison	Oliver
Dollins	Palmer
England	Patterson of Mills
Farmer	Patterson
Fielden	of Travis
Fox	Petsch
Fuchs	Powell
Graves	Prescott
Hamilton	Quinn
Harbin	Ragsdale
Harper	Reader
Harrell	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dickens	Roark
Herzik	Ross
Holland	Russell
Huddleston	Rutta
Hull	Sewell
Hyder	Sharpe
Johnson of Ellis	Simpson
Johnson	Skaggs
of Tarrant	Smith of Tarrant
Jones of Angelina	Stinson
Keefe	Stocks
Kelt	Talbert
Kern	Tarwater
King	Thornberry
Knetsch	Weldon
Langdon	Wood
Lankford	Worley

Absent

Davis of Jasper	Mann
Hartzog	Settle
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Roark moved a call of the House for the purpose of maintaining a quorum until House Bill No. 23 is disposed of, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—87

Adkins	Kern
Alsup	King
Amos	Knetsch
Baker	Langdon
Beckworth	Lankford
Boethel	Lehman
Bond	London
Bradbury	Lucas
Bradford	Mays
Bridgers	McDonald
Broadfoot	Metcalfe
Brown	Moffett
Burton	Morris
Cathey	Newton
Cauthorn	Oliver
Cleveland	Palmer
Davis of Haskell	Patterson of Mills
Davis of Jasper	Patterson
Davison of Fisher	of Travis
Davisson	Petsch
of Eastland	Powell
Deglandon	Prescott
Derden	Quinn
Dickison	Ragsdale
England	Reader
Farmer	Reed of Bowie
Fielden	Roark
Fox	Ross
Fuchs	Russell
Graves	Rutta
Hamilton	Sewell
Harbin	Sharpe
Harper	Simpson
Harrell	Skaggs
Harris of Archer	Smith of Hopkins
Harris of Dickens	Smith of Tarrant
Herzik	Stocks
Holland	Talbert
Hoskins	Thornberry
Huddleston	Waggoner
Hull	Weldon
Hyder	Winfree
Johnson of Ellis	Wood
Jones of Angelina	Worley
Kelt	

Nays—50

Alexander	Harris of Dallas
Anderson	Howard
Blankenship	Jackson
Boyer	Johnson
Callan	of Tarrant
Carssow	Jones of Atascosa
Celaya	Keefe
Colquitt	Keith
Dean	Kenyon
Dollins	Lanning
Donaghey	Leath
Felty	Leonard
Gibson	Leyendecker
Hankamer	Little
Hanna	Loggins
Hardin	Mauritz

McFarland	Schuenemann
McKee	Settle
McKinney	Shell
Monkhouse	Smith
Morse	of Matagorda
Nicholson	Tarwater
Pope	Tennant
Reed of Dallas	Tennyson
Rhodes	Thornton
Riddle	Vale

Absent

Bates	Mann
Bell	McConnell
Hartzog	Stinson
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Worley moved to reconsider the vote by which the call of the House was ordered, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—78

Adkins	Harrell
Alsup	Harris of Archer
Amos	Harris of Dickens
Bates	Holland
Beckworth	Huddleston
Bell	Johnson of Ellis
Boethel	Johnson
Bond	of Tarrant
Bradbury	Kelt
Bridgers	Kern
Broadfoot	King
Brown	Langdon
Burton	Lankford
Cauthorn	Lehman
Cleveland	Leyendecker
Davis of Haskell	London
Davis of Jasper	Lucas
Davison of Fisher	McConnell
Davison	McDonald
of Eastland	Metcalf
Deglandon	Moffett
Derden	Morris
Dickison	Newton
England	Oliver
Farmer	Palmer
Fox	Patterson of Mills
Fuchs	Pope
Graves	Powell
Hamilton	Prescott
Harper	Quinn

Ragsdale	Skaggs
Reader	Smith of Hopkins
Reed of Bowie	Smith of Tarrant
Roark	Stinson
Ross	Talbert
Russell	Waggoner
Rutta	Weldon
Sewell	Winfree
Sharpe	Wood
Simpson	Worley

Nays—59

Alexander	Knetsch
Anderson	Lanning
Baker	Leath
Blankenship	Leonard
Boyer	Little
Bradford	Loggins
Carsow	Mauritz
Cathey	Mays
Celaya	McKee
Colquitt	McKinney
Dean	Monkhouse
Dollins	Morse
Donaghey	Nicholson
Felty	Patterson
Fielden	of Travis
Gibson	Petsch
Hankamer	Reed of Dallas
Hanna	Riddle
Harbin	Schuenemann
Hardin	Settle
Harris of Dallas	Shell
Herzik	Smith
Hoskins	of Matagorda
Howard	Stocks
Hull	Tarwater
Hyder	Tennant
Jackson	Tennyson
Jones of Atascosa	Thornberry
Keefe	Thornton
Keith	Vale
Kenyon	

Absent

Callan	Mann
Hartzog	McFarland
Jones of Angelina	Rhodes
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

The roll of the House was called, and the following Members were present:

Mr. Speaker	Baker
Adkins	Bates
Alexander	Beckworth
Alsup	Bell
Amos	Blankenship
Anderson	Boethel

Bond	Lankford
Boyer	Lanning
Bradbury	Leath
Bradford	Lehman
Bridgers	Leonard
Broadfoot	Leyendecker
Burton	Little
Callan	Loggins
Carssow	London
Cathey	Lucas
Cauthorn	Mauritz
Celaya	Mays
Cleveland	McConnell
Colquitt	McDonald
Davis of Haskell	McKee
Davis of Jasper	McKinney
Davison of Fisher	Metcalfe
Davison	Moffett
of Eastland	Monkhouse
Dean	Morris
Deglandon	Morse
Derden	Newton
Dickison	Nicholson
Dollins	Oliver
Donaghey	Palmer
England	Patterson of Mills
Farmer	Patterson
Felty	of Travis
Fielden	Petsch
Fox	Pope
Fuchs	Powell
Gibson	Prescott
Graves	Quinn
Hamilton	Ragsdale
Hankamer	Reader
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Riddle
Harrell	Roark
Harris of Archer	Ross
Harris of Dallas	Russell
Harris of Dickens	Rutta
Hartzog	Schuenemann
Herzik	Settle
Holland	Sewell
Hoskins	Sharpe
Howard	Shell
Huddleston	Simpson
Hull	Skaggs
Hyder	Smith of Hopkins
Jackson	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stinson
Jones of Angelina	Stocks
Jones of Atascosa	Talbert
Keefe	Tarwater
Keith	Tennant
Kenyon	Tennyson
Kern	Thornberry
King	Vale
Knetsch	Waggoner
Langdon	Weldon

Winfree	Worley
Wood	
	Absent
Brown	Mann
Jones of Falls	McFarland
Kelt	Thornton
	Absent—Excused
Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

The Speaker announced that there was a quorum present.

Mr. Keith moved that the Sergeant-at-Arms be instructed to bring in all absent Members within the city who are not ill.

The motion prevailed.

Mr. Derden offered the following substitute for the amendment by Mr. Broadfoot:

Amend committee amendment No. 1 to House Bill No. 23, by striking out Section 10 and substituting in lieu thereof the following:

"Section 10. All revenues derived and collected under the provisions of this Act by the State of Texas, shall be deposited in an account to be set up and prescribed by proper administrative officials, and from said account shall be transferred and/or allocated as follows:

1. To the Available School Fund of the State the constitutional one-fourth of said revenues.

2. To the Old Age Assistance Fund a sum for the fiscal year ending August 31, 1938, equal to the pro rata part of Two Million (\$2,000,000.00) Dollars as such effective period of this bill for the fiscal year bears to the entire fiscal year, and Three Million Six Hundred Twenty-Six Thousand Five Hundred (\$3,626,500.00) Dollars for each fiscal year thereafter if required, the said amounts to be provided on a basis of equal monthly installments, said fund to be used to aid the aged needy, irrespective of the ability of any relative or friend to assist in their support. In addition to this provision there shall be transferred from the first available accumulated funds before transfer of any amount to the General Revenue Fund the sum of One Million Six Hundred Twenty-Six Thousand Five Hundred (\$1,626,500.00) Dollars to the Old Age Assistance Fund, such transfer being

contingent upon all outstanding Old Age Assistance Warrants held by banks being retired before or with such transferred funds.

3. To the Division of Public Welfare of the Board of Control for the purpose of providing assistance to the blind in the manner prescribed by law such part of Three Hundred Thousand (\$300,000.00) Dollars as such effective period of this Act for the fiscal year bears to the entire fiscal year and there shall be transferred to such fund Three Hundred Thousand (\$300,000.00) Dollars for each fiscal year thereafter as required, the said amounts to be provided on basis of equal monthly installments.

4. To the Division of Public Welfare of the Board of Control for the purpose of providing assistance to the dependent and destitute children such part of One Million Five Hundred Thousand (\$1,500,000.00) Dollars as such effective period of this Act for the fiscal year bears to the entire fiscal year and there shall be transferred to such fund One Million Five Hundred Thousand (\$1,500,000.00) Dollars for each fiscal year thereafter, as required, the said amount to be provided on a basis of equal monthly installments.

5. There shall be transferred to the Teachers Retirement Fund of the State of Texas any amounts in the accumulation fund not otherwise provided for in this Act, after provision for reserved amounts, and the accumulation fund is to be cleared in full at the end of each calendar month."

DERDEN,
REED of Bowie.

Mr. Keith raised a point of order, on further consideration of the amendment by Mr. Derden, on the ground that the amendment attempts to allocate by general provisions funds to the Teachers' Retirement Fund, and is unconstitutional, and that same is not germane to committee amendment No. 1.

The Speaker overruled the point of order.

Mr. Worley moved the previous question on the substitute amendment by Mr. Derden, and amendment by Mr. Broadfoot to committee amendment No. 1, and the motion was duly seconded.

Question recurring on the motion

for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71

Adkins	Huddleston
Amos	Jones of Atascosa
Anderson	Kelt
Baker	King
Bates	Langdon
Beckworth	Lankford
Blankenship	Lanning
Boethel	Leath
Bond	Lehman
Bradbury	Leyendecker
Bridgers	London
Broadfoot	McDonald
Brown	Metcalf
Callan	Moffett
Cathey	Monkhouse
Cleveland	Morse
Davis of Haskell	Newton
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davison	Patterson of Mills
of Eastland	Petsch
Deglandon	Quinn
Derden	Reader
Dickison	Reed of Bowie
Dollins	Rhodes
England	Riddle
Fuchs	Roark
Hamilton	Russell
Hanna	Rutta
Harbin	Simpson
Hardin	Skaggs
Harper	Stocks
Harrell	Talbert
Harris of Archer	Tarwater
Holland	Thornberry
Hoskins	Worley

Nays—54

Alsup	Hyder
Bell	Jackson
Boyer	Johnson of Ellis
Bradford	Johnson
Burton	of Tarrant
Carsow	Jones of Angelina
Cauthorn	Keefe
Celaya	Kern
Colquitt	Knetsch
Donaghey	Little
Farmer	Lucas
Fielden	Mauritz
Fox	McConnell
Gibson	McFarland
Hankamer	Morris
Harris of Dallas	Nicholson
Harris of Dickens	Patterson
Herzik	of Travis
Howard	Pope
Hull	Reed of Dallas

Ross	Tennant
Schuenemann	Tennyson
Settle	Thornton
Sewell	Vale
Shell	Waggoner
Smith of Hopkins	Weldon
Smith	Winfree
of Matagorda	Wood
Stinson	

Present—Not Voting

Dean

Absent

Alexander	Mann
Felty	Mays
Graves	McKee
Hartzog	McKinney
Jones of Falls	Powell
Keith	Prescott
Kenyon	Ragsdale
Leonard	Sharpe
Loggins	Smith of Tarrant

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Question recurring on the substitute amendment by Mr. Derden, yeas and nays were demanded.

The substitute amendment was lost by the following vote:

Yeas—22

Alsup	Holland
Bradford	Kern
Callan	Lankford
Carssow	Leonard
Celaya	Morse
Dean	Reed of Bowie
Deglandon	Ross
Derden	Russell
Felty	Simpson
Fielden	Thornton
Hartzog	Vale

Nays—116

Adkins	Bridgers
Alexander	Broadfoot
Amos	Brown
Anderson	Burton
Baker	Cathey
Bates	Cauthorn
Beckworth	Cleveland
Bell	Colquitt
Blankenship	Davis of Haskell
Boethel	Davis of Jasper
Bond	Davison of Fisher
Boyer	Davison
Bradbury	of Eastland

Dickison	McDonald
Dollins	McFarland
Donaghey	McKee
England	McKinney
Farmer	Metcalfe
Fox	Moffett
Fuchs	Monkhouse
Gibson	Morris
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harrell	Petsch
Harris of Archer	Powell
Harris of Dallas	Prescott
Harris of Dickens	Quinn
Herzik	Ragsdale
Hoskins	Reader
Huddleston	Reed of Dallas
Hull	Rhodes
Hyder	Riddle
Jackson	Roark
Johnson of Ellis	Rutta
Johnson	Schuenemann
of Tarrant	Settle
Jones of Angelina	Sewell
Jones of Atascosa	Sharpe
Keefe	Shell
Keith	Skaggs
Kelt	Smith of Hopkins
Kenyon	Smith
King	of Matagorda
Knetsch	Smith of Tarrant
Langdon	Stinson
Lanning	Stocks
Leath	Talbert
Lehman	Tarwater
Leyendecker	Tennant
Little	Tennyson
Loggins	Thornberry
London	Waggoner
Lucas	Weldon
Mauritz	Winfree
Mays	Wood
McConnell	Worley

Absent

Graves	Mann
Howard	Palmer
Jones of Falls	Pope

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Question next recurring on the amendment by Mr. Broadfoot, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—118

Adkins	King
Alexander	Knetsch
Alsup	Langdon
Amos	Lankford
Baker	Lanning
Bates	Leath
Beckworth	Lehman
Bell	Leyendecker
Blankenship	Little
Boethel	Loggins
Boyer	London
Bradbury	Lucas
Bradford	Mauritz
Bridgers	Mays
Broadfoot	McConnell
Brown	McDonald
Callan	Metcalf
Cathey	Monkhouse
Cauthorn	Moffett
Celaya	Morris
Cleveland	Newton
Colquitt	Nicholson
Davis of Haskell	Oliver
Davis of Jasper	Palmer
Davisson	Patterson
of Eastland	of Travis
Deglandon	Petsch
Derden	Pope
Dickison	Powell
Dollins	Prescott
England	Quinn
Farmer	Ragsdale
Fielden	Reader
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Hamilton	Riddle
Hanna	Roark
Harbin	Ross
Hardin	Russell
Harper	Rutta
Harrell	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Simpson
Hartzog	Skaggs
Herzik	Smith
Holland	of Matagorda
Hoskins	Stinson
Huddleston	Stocks
Hull	Talbert
Hyder	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Vale
Jones of Atascosa	Waggoner
Jones of Falls	Weldon
Keefe	Winfree
Kelt	Wood
Kenyon	Worley

Nays—22

Anderson	Leonard
Bond	McFarland
Burton	McKee
Carssow	McKinney
Davison of Fisher	Morse
Dean	Patterson of Mills
Felty	Schuenemann
Hankamer	Shell
Jackson	Smith of Hopkins
Keith	Smith of Tarrant
Kern	Thornton

Absent

Donaghey	Howard
Graves	Mann

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Blankenship moved that all necessary Rules be suspended for the purpose of making a motion for the main question on committee amendment No. 1, and the engrossment of House Bill No. 23.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—80

Adkins	Harris of Archer
Alexander	Harris of Dickens
Anderson	Herzik
Bates	Holland
Beckworth	Hoskins
Bell	Huddleston
Blankenship	Hull
Boethel	Jones of Angelina
Bond	Jones of Atascosa
Bradbury	Keefe
Bridgers	Kelt
Broadfoot	Kern
Burton	King
Callan	Langdon
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leath
Cleveland	Lehman
Davis of Haskell	Leonard
Davis of Jasper	Leyendecker
Davison of Fisher	McConnell
Deglandon	McDonald
Derden	Metcalf
Dollins	Moffett
Fielden	Monkhouse
Fox	Morse
Fuchs	Newton
Graves	Oliver
Hamilton	Palmer
Harbin	Patterson
Harper	of Travis
Harrell	Petsch

Powell	Simpson
Quinn	Skaggs
Reader	Smith of Hopkins
Reed of Bowie	Smith of Tarrant
Roark	Stocks
Ross	Talbert
Russell	Tarwater
Rutta	Thornberry
Settle	

Nays—56

Alsup	Lucas
Amos	Mauritz
Baker	Mays
Boyer	McFarland
Bradford	McKee
Brown	McKinney
Carssow	Morris
Colquitt	Nicholson
Davisson	Patterson of Mills
of Eastland	Pope
Dean	Prescott
Donaghey	Reed of Dallas
England	Rhodes
Farmer	Riddle
Gibson	Schuenemann
Hankamer	Sewell
Hanna	Shell
Hardin	Smith
Harris of Dallas	of Matagorda
Hartzog	Stinson
Hyder	Tennant
Jackson	Tennyson
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Waggoner
Keith	Weldon
Kenyon	Winfree
Knetsch	Wood
Little	Worley
Loggins	

Absent

Dickison	London
Felty	Mann
Howard	Ragsdale
Jones of Falls	Sharpe

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Morris offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, page 19, by adding a new section at the end of Subsection 4, line 37, to be known as Subsection 4a and to read as follows:

"To the Board of Trustees of the Teachers' Retirement Fund of the State of Texas for the purpose of pro-

viding assistance to the Teachers' Retirement Act such part of One Million Five Hundred Thousand (\$1,500,000.00) Dollars as such effective period of this Act for the fiscal year bears to the entire fiscal year and there shall be transferred to such fund One Million Five Hundred Thousand (\$1,500,000.00) Dollars for each fiscal year thereafter, as required, the said amount to be provided on a basis of equal monthly installments."

MORRIS,
DICKISON,
BELL,
BROADFOOT,
AMOS,
SHARPE,
KERN,
JONES of Wise,
THORNBERRY,
CLEVELAND,
DOLLINS,
TENNYSON,
WINFREE.

Mr. Keith raised a point of order, on further consideration of the amendment by Mr. Morris, at this time, on the ground that the amendment is not germane and violates certain constitutional provisions in regard to the transposition of funds to the Teachers' Retirement Fund.

The Speaker overruled the point of order.

Mr. Worley moved the previous question on the amendment by Mr. Morris, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—94

Adkins	Davison of Fisher
Alexander	Davisson
Alsup	of Eastland
Amos	Derden
Anderson	Dickison
Bates	Dollins
Beckworth	England
Blankenship	Farmer
Boethel	Fielden
Bond	Fuchs
Bradbury	Hamilton
Bridgers	Hanna
Broadfoot	Harbin
Callan	Hardin
Carssow	Harper
Cleveland	Harrell
Davis of Haskell	Harris of Archer
Davis of Jasper	Harris of Dickens

Hartzog	Newton
Herzik	Oliver
Holland	Patterson of Mills
Huddleston	Petsch
Johnson of Ellis	Powell
Johnson	Prescott
of Tarrant	Quinn
Jones of Angelina	Reader
Jones of Atascosa	Reed of Bowie
Keefe	Rhodes
Kenyon	Riddle
Kern	Roark
King	Ross
Langdon	Russell
Lankford	Rutta
Leath	Sewell
Lehman	Sharpe
Leonard	Simpson
Leyendecker	Skaggs
Loggins	Smith of Tarrant
London	Stinson
Mauritz	Stocks
McConnell	Talbert
McDonald	Tarwater
McFarland	Tennyson
Metcalfe	Thornberry
Moffett	Vale
Monkhouse	Weldon
Morris	Winfree
Morse	Worley

Nays—37

Bell	Knetsch
Boyer	Lanning
Bradford	Little
Brown	Lucas
Burton	Mays
Cathey	McKee
Cauthorn	McKinney
Celaya	Patterson
Colquitt	of Travis
Deglandon	Pope
Donaghey	Reed of Dallas
Fox	Schuenemann
Gibson	Settle
Hankamer	Smith
Harris of Dallas	of Matagorda
Hoskins	Tennant
Hyder	Thornton
Jackson	Waggoner
Keith	Wood
Kelt	

Absent

Baker	Mann
Dean	Nicholson
Felty	Palmer
Graves	Ragsdale
Howard	Shell
Hull	Smith of Hopkins
Jones of Falls	

Absent—Excused

Cagle	Heflin
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Jones of Wise
Stevenson

Westbrook

Question then recurring on the above amendment by Mr. Morris and others, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—104

Alexander	Lanning
Amos	Leath
Anderson	Lehman
Bates	Leonard
Beckworth	Leyendecker
Blankenship	Loggins
Boethel	London
Bond	Lucas
Boyer	Mauritz
Bradbury	Mays
Bradford	McConnell
Bridgers	McDonald
Brown	McFarland
Callan	McKee
Carssow	Metcalfe
Cathey	Moffett
Celaya	Monkhouse
Davis of Jasper	Morris
Davisson	Morse
of Eastland	Newton
Dean	Nicholson
Derden	Patterson of Mills
Dickison	Pope
Donaghey	Prescott
England	Quinn
Farmer	Ragsdale
Felty	Reader
Fielden	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Hamilton	Riddle
Hankamer	Roark
Hanna	Ross
Harbin	Russell
Harper	Settle
Harrell	Sewell
Harris of Archer	Shell
Harris of Dallas	Simpson
Harris of Dickens	Skaggs
Hartzog	Smith of Hopkins
Holland	Smith of Tarrant
Hoskins	Stinson
Hull	Stocks
Hyder	Talbert
Jackson	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale
Keefe	Weldon
Kelt	Winfree
Kern	Wood
Lankford	Worley

Nays—28

Adkins	Jones of Atascosa
Alsup	Keith
Bell	Kenyon
Burton	Knetsch
Cauthorn	Oliver
Cleveland	Patterson
Colquitt	of Travis
Davison of Fisher	Petsch
Deglandon	Powell
Dollins	Rutta
Fox	Sharpe
Graves	Smith
Hardin	of Matagorda
Herzik	Tarwater
Huddleston	Waggoner

Absent

Baker	Langdon
Broadfoot	Little
Davis of Haskell	Mann
Howard	McKinney
Jones of Falls	Palmer
King	Schuenemann

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Blankenship moved that all necessary Rules be suspended, for the purpose of making a motion for the main question on committee amendment No. 1, and the engrossment of House Bill No. 23.

The motion was lost by the following vote:

Yeas—54

Blankenship	Jones of Atascosa
Bond	Keefe
Bradbury	Kelt
Burton	Kenyon
Callan	King
Carssow	Knetsch
Cauthorn	Langdon
Davis of Haskell	Lankford
Davis of Jasper	Leyendecker
Davison of Fisher	McConnell
Dean	McDonald
Dickison	Metcalfe
Felty	Moffett
Fox	Morris
Fuchs	Morse
Graves	Newton
Harris of Archer	Patterson of Mills
Harris of Dickens	Patterson
Hartzog	of Travis
Holland	Reader
Hoskins	Riddle
Hull	Roark
Johnson	Ross
of Tarrant	Settle

Skaggs	Thornberry
Smith of Hopkins	Thornton
Smith	Vale
of Matagorda	Waggoner
Stocks	

Nays—84

Adkins	Kern
Alexander	Lanning
Alsup	Leath
Amos	Lehman
Anderson	Little
Baker	Loggins
Bates	London
Beckworth	Lucas
Bell	Mauritz
Boethel	Mays
Boyer	McFarland
Bradford	McKee
Bridgers	McKinney
Broadfoot	Monkhouse
Brown	Nicholson
Cathey	Oliver
Celaya	Palmer
Cleveland	Petsch
Colquitt	Pope
Davisson	Powell
of Eastland	Prescott
Deglandon	Quinn
Derden	Ragsdale
Dollins	Reed of Bowie
Donaghey	Reed of Dallas
Farmer	Rhodes
Fielden	Russell
Gibson	Rutta
Hamilton	Schuenemann
Hankamer	Sewell
Hanna	Sharpe
Harbin	Shell
Hardin	Simpson
Harper	Smith of Tarrant
Harrell	Stinson
Harris of Dallas	Talbert
Herzik	Tennant
Huddleston	Tennyson
Hyder	Weldon
Jackson	Winfree
Johnson of Ellis	Wood
Jones of Angelina	Worley
Keith	

Present—Not Voting

Tarwater

Absent

England	Leonard
Howard	Mann
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Jones of Atascosa moved the previous question on Section 10 of the committee amendment, and the main question was ordered.

Mr. Kenyon offered the following amendment to committee amendment No. 1:

"Amend House Bill No. 23, by striking out all of Section 7 thereof."

Mr. Tennyson moved to table the amendment by Mr. Kenyon.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—85

Adkins	King
Alexander	Knetsch
Alsup	Langdon
Amos	Lankford
Baker	Lanning
Bates	Lehman
Beckworth	Leyendecker
Bell	London
Boethel	Lucas
Bond	Mauritz
Bradbury	McConnell
Broadfoot	McDonald
Brown	Metcalfe
Burton	Moffett
Cauthorn	Morris
Cleveland	Newton
Davis of Haskell	Nicholson
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davison	Patterson of Mills
of Eastland	Patterson
Deglandon	of Travis
Donaghey	Powell
England	Prescott
Farmer	Quinn
Fielden	Ragsdale
Fox	Reed of Bowie
Fuchs	Rhodes
Gibson	Roark
Graves	Ross
Hamilton	Russell
Harbin	Rutta
Harper	Sharpe
Harrell	Skaggs
Harris of Archer	Smith
Harris of Dickens	of Matagorda
Herzik	Smith of Tarrant
Holland	Stinson
Huddleston	Talbert
Hyder	Tarwater
Jones of Angelina	Tennyson
Keefe	Thornberry
Kelt	Weldon
Kern	Worley

Nays—51

Anderson	Leath
Blankenship	Leonard
Boyer	Little
Bradford	Loggins
Bridgers	Mays
Callan	McFarland
Carssow	McKee
Cathey	McKinney
Celaya	Monkhouse
Colquitt	Morse
Dean	Petsch
Derden	Pope
Dickison	Reader
Dollins	Reed of Dallas
Felty	Riddle
Hankamer	Schuenemann
Hanna	Settle
Harris of Dallas	Sewell
Hartzog	Shell
Hull	Simpson
Jackson	Smith of Hopkins
Johnson of Ellis	Tennant
Johnson	Thornton
of Tarrant	Vale
Keith	Waggoner
Kenyon	Wood

Absent

Hardin	Jones of Falls
Hoskins	Mann
Howard	Stocks
Jones of Atascosa	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Stinson moved that all necessary Rules be suspended for the purpose of offering certain amendment at this time.

The motion prevailed by the following vote:

Yeas—111

Adkins	Burton
Alexander	Carssow
Alsup	Cathey
Amos	Cauthorn
Anderson	Cleveland
Baker	Colquitt
Bates	Davis of Haskell
Beckworth	Davis of Jasper
Bell	Davison of Fisher
Blankenship	Davison
Boethel	of Eastland
Bond	Dean
Bradbury	Deglandon
Bridgers	Dickison
Broadfoot	Donaghey
Brown	Farmer

Fielden	Metcalfe
Fox	Moffett
Fuchs	Monkhouse
Gibson	Morris
Graves	Newton
Hamilton	Nicholson
Hanna	Oliver
Hardin	Palmer
Harper	Patterson of Mills
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dickens	Petsch
Hartzog	Pope
Herzik	Powell
Holland	Prescott
Hoskins	Quinn
Huddleston	Ragsdale
Hull	Reader
Hyder	Reed of Bowie
Johnson of Ellis	Rhodes
Johnson	Riddle
of Tarrant	Ross
Jones of Angelina	Russell
Jones of Atascosa	Rutta
Kelt	Schuenemann
Kern	Sewell
King	Sharpe
Knetsch	Shell
Langdon	Simpson
Lankford	Skaggs
Lanning	Smith
Leath	of Matagorda
Lehman	Smith of Tarrant
Leyendecker	Stinson
Little	Talbert
Loggins	Tarwater
London	Tennant
Lucas	Tennyson
Mauritz	Thornberry
Mays	Weldon
McConnell	Worley
McDonald	

Nays—19

Boyer	McFarland
Bradford	McKee
Callan	Morse
Derden	Reed of Dallas
Dollins	Roark
Felty	Settle
Harris of Dallas	Thornton
Jackson	Waggoner
Keith	Wood
Kenyon	

Absent

Celaya	Leonard
England	Mann
Hankamer	McKinney
Harbin	Smith of Hopkins
Howard	Stocks
Jones of Falls	Vale
Keefe	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Stinson then offered the following amendment to committee amendment No. 1:

Amend Stinson amendment to Section 7 of committee amendment No. 1 to House Bill No. 23, by striking out the words and figures "1½ per cent" wherever they occur and insert in lieu thereof the words and figures "one and seventy-two hundredths (1.72%) per cent".

The amendment was adopted.

Mr. Wood offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, by adding a new section to be numbered as Section 9A and re-numbering the remaining sections accordingly, said section to read as follows:

"There is hereby levied on all persons, firms, corporations, partnerships, co-partnerships, association of persons, engaged in the 'business of' creosoting lumber of any description, poles, cross ties, logs, or any other building materials, 'a tax equal to ¼% per board foot'.

"The above tax to be computed on the amount of business done each quarter of the year and sworn to by the president or secretary of said company on form prescribed by the State Comptroller of Public Accounts.

"If any person, firm, corporation, partnership, co-partnership, association of persons engaged in the above mentioned business shall fail to pay the above mentioned tax, said person, firm, corporation, partnership or co-partnership, association of persons shall be subject to a fine not less than One Thousand (\$1,000.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars and imprisonment in the State Penitentiary for a term of years not to exceed five years, each day's violation shall constitute a separate offense."

WOOD,
WORLEY.

Mr. Morris moved the previous question on the amendment by Mr. Wood, and the main question was ordered.

Question recurring on the amend-

ment by Mr. Wood, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—81

Adkins	Jones of Atascosa
Alexander	Kern
Alsup	King
Baker	Knetsch
Beckworth	Lanning
Boethel	Leath
Bond	Leyendecker
Boyer	Little
Bradford	London
Bridgers	Lucas
Callan	Mays
Cauthorn	McConnell
Celaya	McDonald
Cleveland	McFarland
Colquitt	Metcalfe
Davis of Haskell	Moffett
Davisson	Monkhouse
of Eastland	Nicholson
Dean	Oliver
Deglandon	Petsch
Dollins	Powell
Farmer	Prescott
Felty	Ragsdale
Fox	Riddle
Fuchs	Roark
Gibson	Ross
Hamilton	Rutta
Hankamer	Schuenemann
Hanna	Settle
Harbin	Sharpe
Harrell	Shell
Harris of Dallas	Simpson
Harris of Dickens	Smith of Hopkins
Herzik	Smith
Holland	of Matagorda
Hoskins	Talbert
Huddleston	Tarwater
Hull	Tennant
Hyder	Tennyson
Jackson	Vale
Johnson	Wood
of Tarrant	Worley

Nays—53

Amos	Donaghey
Anderson	England
Bates	Fielden
Bell	Graves
Bradbury	Hardin
Broadfoot	Harper
Brown	Harris of Archer
Burton	Johnson of Ellis
Carssow	Jones of Angelina
Cathy	Keefe
Davis of Jasper	Keith
Davison of Fisher	Kelt
Derden	Langdon
Dickison	Lankford

Lehman	Quinn
Loggins	Reader
Mauritz	Reed of Bowie
McKee	Reed of Dallas
McKinney	Rhodes
Morris	Russell
Morse	Sewell
Newton	Skaggs
Palmer	Smith of Tarrant
Patterson of Mills	Thornberry
Patterson	Thornton
of Travis	Waggoner
Pope	Weldon

Absent

Blankenship	Leonard
Hartzog	Mann
Howard	Stinson
Jones of Falls	Stocks
Kenyon	Winfree

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Worley moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Winfree offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, by adding after Section 12, line 28, page 20, the following to be known as Section 12 A:

"Subsection 1. There is hereby created a Commission to be known as the Texas Racing Commission which shall be composed of three members; two of whom, the Tax Commissioner of the State of Texas and the Commissioner of Agriculture of the State of Texas, shall serve ex officio and the third, who shall be appointed by the Governor of the State with the advice and consent of the Senate, shall be Chairman of the Committee and shall have been a citizen of the State of Texas and a bona fide owner and breeder of thoroughbred live stock in Texas for a period of at least two years at the time of his appointment. Either the Chairman of the Commission or the Tax Commissioner may at any time be dismissed by the Governor for good cause, the reasons for such dismissal to be specified and filed with the Secretary of State. Two commissioners shall constitute a quorum with the power to act.

The Chairman of such Commission shall draw a salary of Three Thousand (\$3,000.00) Dollars per year for this biennium and to be fixed by appropriations thereafter, payable in equal monthly installments.

The Commission shall establish an office at Austin, Texas. It shall select a secretary and as many as two (2) clerks if the business of the Commission shall so require, all of whom shall serve at the will of the Commission. The total expenditure of the Commission shall not exceed Twenty Thousand (\$20,000.00) Dollars annually.

The Secretary and clerks shall receive such salaries as allowed by the Commission, provided, however, the Secretary's salary shall not exceed Two Hundred (\$200.00) Dollars per month, and the clerks shall not exceed One Hundred (\$100.00) Dollars per month each. After August 31, 19..., all salaries shall be set by the Legislature.

The Commission shall have power to pay all reasonable and necessary traveling and other expenses incident to the conducting of its business.

A Chairman shall be appointed, whose term of office shall be the same as the term of office of the Commissioner of Agriculture, unless removed by the Governor for good cause, as hereinbefore provided, and, thereafter, the Chairman shall be so appointed as that his term of office will conform to the term of office of the Commissioner of Agriculture. The Chairman shall be eligible for reappointment. In the event of a vacancy in the chairmanship arising from any cause, or a vacancy arising from any cause in that place or the Racing Commission provided herein to be held by the Tax Commissioner, the Governor shall by appointment, with the advice and consent of the Senate, fill such vacancy.

The Racing Commission shall have the power, and it shall be its duty, to prescribe and enforce reasonable rules and regulations, reasonable restrictions and conditions under which all horse races and exhibitions of riding horses are held under this Act; likewise prescribe and enforce rules governing the conduct of all persons who engage in or carry on the racing or such exhibitions of horses. The Commission shall have power to exclude from participation in such races or exhibitions any person or persons who omit, fail or refuse to comply

with the reasonable rules, regulations, restrictions and conditions prescribed by said Commission, and to impose as a penalty for such omission, failure or refusal, the denial of the right of such persons to conduct or participate in such races or exhibitions.

The Commission shall have the power and authority to permit and to authorize the racing of horses under what is here designated the "certificate system". Under this system the Commission shall permit, authorize and issue a license on the compliance by an applicant for a license with the requirements of this Act, to conduct races and use in connection therewith the said certificate system, which system shall expressly authorize and make lawful the right of a licensee to collect and receive contributions of money from any person at such race toward the entry of any horse in a horse race selected by such person to run first in such race, and the person so contributing such money shall acquire an interest in the total money so contributed on all horses in such race as first winners in proportion to the amount of money contributed by such person. Such licensee shall receive the said contributions of money and issue to the contributors thereof certificates on which shall be shown the number of the race, the amount contributed and the number or name of the horse, respectively, selected by such person as first winner.

As each race is run the licensee shall be authorized to deduct from the total sum contributed on all horses as first winner, respectively, eleven per cent (11%) of the amount thus contributed, and the off cents of the redistributions over the next lowest multiple of five (5), and the balance remaining on hand shall be paid out to the holders of certificates on the winning horse, respectively, equally in proportion as the amount contributed by each such person bears to the total amount contributed toward the entry of all the horses in said race to run first.

Subsection 2. The licensee, in like way, may receive such contributions on horses selected to run second, third, or both, the method and procedure, and the right of the licensee, to be as specified in the next preceding section hereof.

The Commission shall be authorized to grant a licensee for the use and operation of the said certificate sys-

tem as to contents and exhibition that one seeking such license shall comply with the requirements of this Act.

The said certificate system as herein authorized shall not be construed to be either pool selling, betting or bookmaking within the meaning of Articles 645, 647 and 648 of the Penal Code of the State of Texas, Title Two, Chapter 6 as amended.

Subsection 3. The use of such system shall not be permitted at any other place than within the enclosure stated in the license, nor shall the said certificate system be permitted to be used on any races except races and contests of horses.

No such certificate shall be purchased by or sold to a minor.

Races authorized under this Act may be held only between the hours of 9:00 a. m. and 7:00 p. m. of the racing days fixed by the Commission. No license shall be issued to any one applicant for the holding of more than two meetings on any one race course in any twelve (12) months period. No person shall receive a license except upon satisfactory showing made to the Commission that such person has adequate facilities, equipment and proper provisions made for the conducting of such races, and is of good standing; provided, however, the Commission shall have power, at its discretion, and for good cause shown by an applicant, to issue a license to an applicant of good standing who does not, at the time of the making of the applications or the granting of a license, then have the said facilities, but, in such case, the Commission shall require an obligation in writing of such applicant, with such security as the Commission shall determine, that such applicant will construct or procure the construction of, such facilities by the date of the racing meet authorized.

Such person so receiving a license shall give bond payable to the Racing Commission, with good security, in such amount as the Commission shall determine, not, however, to exceed the sum of Fifty Thousand (\$50,000.00) Dollars to be approved by the Commission, conditioned, in effect, that such applicant will conduct such races and the operation of such certificate system as contemplated by this law, and shall account to and pay over to the State Treasurer of the State of Texas the

amounts required by this Act to be so paid.

Subsection 4. The Racing Commission may designate representatives, whose compensation shall not exceed Ten (\$10.00) Dollars per day and reasonable expenses when on the business of the Commission, to attend any horse race meeting licensed under this Act, whose duty it shall be to supervise the conducting of such races and to see to it that the rules of the Commission are faithfully enforced. Such representatives shall have full and free access to the place or enclosure where the certificate system is conducted or supervised; and, for the purpose of ascertaining whether or not the licensee is retaining only the commission provided for in this Act, they shall have access to the books, records and papers pertaining to the operation and the results of the said certificate system at such races. A licensee shall keep true and correct records, in such form as the Racing Commission shall prescribe, which shall show all financial operations of said certificate system at such races.

Subsection 5. Any person or persons, association and/or corporation desiring to conduct racing of horses in Texas and to use in connection therewith the said certificate system, as authorized in this Act, shall first petition the Commissioners Court of said County where race meet is to be held to call a Local Option Election to determine whether or not the racing of horses shall be prohibited or legalized in said county; whenever petitioned to do so by as many as ten (10%) per cent of the qualified voters of said county, taking the votes for Governor at the last preceding General Election as the basis for determining the qualified voters in any said County, the Commissioners Court shall order a Local Option Election.

A. After the first Local Option Election held as provided in this Act, no subsequent election upon the same issue in the same county shall be held within one (1) year from the date of the preceding Local Option Election in said county.

B. When the Commissioners Court shall order an election as herein provided for, it shall be the duty of said court to order such election to be held at the voting places within such subdivision or county upon a day not less than ten (10) nor more than twenty (20) days from the date of

said order, and the order thus made shall express the object of such election and shall be held to be prima facie evidence that all the provisions necessary to give it validity or to clothe the court with jurisdiction to make it valid, have been duly complied with, provided that said court shall appoint such officers to hold such election as now required to hold General Elections.

C. The Clerk of said court shall post or cause to be posted at least one copy of said order in each election precinct in such political subdivision or county affected, for at least six (6) days prior to the day of election, which election shall be held and the return thereof made in conformity with the provisions of the General Laws of the State, and by the election officers appointed and qualified under such laws.

D. (a) At said election the vote shall be by official ballot which shall have printed or written at the top thereof in plain letters the words "Official Ballot". Said ballot shall have also written or printed thereon the words "For the racing of horses", and the words, "Against the racing of horses", or words appropriate to the election ordered and the Clerk of the County Court shall furnish the presiding officer of each such voting box within such subdivision or county with a number of such ballots, to be not less than twice the number of qualified voters at such voting boxes and the presiding officer of each voting box shall write his name on the back of each ballot before delivering the same to the voter and each person offering to vote at each election shall, at the time he offers to vote, be furnished by such presiding officer with one such ballot; and no voter shall be permitted to depart with such ballot and shall not be assisted in voting by any person except such presiding officer or by some officer assisting in the holding of such election, under the direction of such presiding officer when requested to do so by such voter.

(b) Those who favor the racing of horses shall erase the words "Against the racing of horses", by making a pencil mark through same, and those who oppose it shall erase the words "For the racing of horses", by making a pencil mark through same. No ballot shall be received or counted by the officers of such election that is not an official ballot, and

that has not the name of the presiding officer of such election written thereon in the handwriting of such presiding officer as provided by this Act.

E. The officers holding such election shall, in all respects not herein specified, conform to the General Election Laws in force regulating elections and after the polls are closed proceed to count the votes and within three (3) days thereafter make due report of said election to the aforesaid Court. The provisions of the General Election Laws shall be followed in calling and conducting said election where not inconsistent herewith.

F. Said court shall hold a Special Session on the fifth day after the holding of said election, or as soon thereafter as practicable, for the purpose of canvassing the votes and certifying the results, and if a majority of the voters are "Against the racing of horses" said court shall immediately make an order declaring the results of said vote, and absolutely prohibiting the racing of horses within the said political subdivision after thirty (30) days from the date of declaring the results thereof, and thereafter until such time as the qualified voters therein may thereafter at the legal election held for such purpose by a majority vote decide otherwise; and the order thus made shall be held to be prima facie evidence that all the provisions of laws have been complied with in giving notice of and holding said election and counting and returning the votes, and declaring the results thereof.

G. The application for the license for a race meet shall have attached to it a certificate of the County Clerk of the county that the race meet is to be held in, showing that a majority of the qualified voters of that county voted to have legalized certificate system betting in said county.

H. The licensee shall pay to the Commission in advance, as a condition of granting of the license, a license fee for each race meeting authorized to be held, the amounts respectively thus stated; to-wit:

If a race meet is to be conducted in a city or town of a population not exceeding three thousand (3,000) inhabitants, or within fifteen (15) miles thereof, such license fee shall be One Hundred (\$100.00) Dollars; if in a city of more than three thousand (3,000) and not exceeding ten thou-

sand (10,000) inhabitants, or within fifteen (15) miles thereof; such license fee shall be the sum of Two Hundred (\$200.00) Dollars; if in a city of more than ten thousand (10,000) and not exceeding twenty thousand (20,000) inhabitants, or within fifteen (15) miles thereof, such license fee shall be the sum of Five Hundred (\$500.00) Dollars; if in a city of more than twenty thousand (20,000) and not exceeding fifty thousand (50,000) inhabitants, or within fifteen (15) miles thereof, such license fee shall be the sum of One Thousand (\$1,000.00) Dollars; if in a city of more than fifty thousand (50,000) and not exceeding one hundred thousand (100,000) inhabitants, or within fifteen (15) miles thereof, such license fee shall be the sum of Fifteen Hundred (\$1,500.00) Dollars; and if in a city of more than one hundred thousand (100,000) inhabitants, or within twenty-five (25) miles thereof, such license fee shall be the sum of Two Thousand (\$2,000.00) Dollars; such population to be determined by the last preceding census of the United States.

I. The license fees so received by the Racing Commission shall be promptly remitted to the Treasurer of the State of Texas through the State Comptroller of Public Accounts, and shall become and be a part of the Special Racing Fund hereinafter mentioned.

J. Cancellation, for any cause authorized under this Act, shall not entitle the licensee to a refund of the fee or any part thereof paid for such license.

K. The Commission may within its discretion limit the issuance of licenses to one per county in any one calendar year.

L. The license issued shall expressly provide that the licensee shall in addition to the license fees paid, remit to the Treasurer of the State of Texas, through the State Comptroller, at the end of each racing meet, or sooner if directed by the Racing Commission, such amounts as are hereinafter provided, received as commission or compensation by the licensee, as authorized by this Act. This fund, when received by the Treasurer, shall be held by him and credited as a Special Racing Fund.

M. The expenses incurred and authorized by virtue of this Act shall be payable out of the Special Racing Fund, not otherwise, and so much

thereof as may be necessary is hereby appropriated and all amounts shall be paid upon accounts approved by the Chairman of the Racing Commission and warrants drawn against said fund by the Comptroller on the State Treasury.

N. The Treasurer of the State of Texas, in December of each year, shall make a complete statement of the amount he has received within the calendar year under the provisions of this Act. After there shall have been charged against this fund the theretofore paid out operating expenses of the Racing Commission in that year as herein authorized, and the additional amount which the Racing Commission shall estimate as being required to be paid out in that year, and, in addition thereto, such amount as the said Racing Commission shall estimate as the expenses for the operating of the Commission for the next succeeding calendar year, the amount then remaining in this fund shall be held for and disbursed thus, viz:

After providing for the operating expenses of the Racing Commission as aforementioned, an amount equal to twenty-five (25%) per cent of the funds remaining in the Special Racing Fund shall by the Treasurer be paid into and credited to the State Available School Fund of Texas. The remainder shall be by the Treasurer deposited to the Old Age Assistance Fund of this State.

O. The licensee shall keep an accurate record of all receipts and disbursements during any racing meet authorized by the Commission to be conducted by said licensee, which books and records shall be at all reasonable times open to inspection of the Comptroller of Public Accounts of the State of Texas and to the Texas Racing Commission or their duly qualified agents; and at the close of each racing meet held by such licensee, or sooner if directed by the Racing Commission, he shall remit to the Treasurer of the State of Texas through the Texas Racing Commission as follows:

From the eleven (11%) per cent deducted by such licensee from the contributions of purchasers of certificates on horses to run first, second and/or third in any given race, four-elevenths ($\frac{4}{11}$) thereof shall be remitted as above directed and shall be allocated in the manner heretofore provided.

P. In addition to the above tax, there is also levied a tax of one per cent (1%) upon the gross amount received from the sale of pari-mutuel tickets, which sum shall be deducted by the licensee and remitted to the State Treasurer in the same manner as are remitted the other taxes herein provided for. One fourth ($\frac{1}{4}$) of the revenue from said gross receipts tax shall be credited to the Available School Fund, and three-fourths ($\frac{3}{4}$) shall be credited to the Old Age Assistance Fund. Said one per cent (1%) gross receipts tax shall be in addition to the eleven (11%) per cent "take" deducted by the licensee. The licensee is hereby constituted Trustee for the State of Texas to collect and remit the sums provided herein, and such sums shall constitute and be a trust fund belonging to the State of Texas. Failure of any person to collect and remit any sums prescribed herein in accordance herewith shall constitute the offense of embezzlement, and upon conviction thereof, such person shall be punishable therefor as the law prescribes.

Subsection 6. The payments herein required to be made by the licensee to the Treasurer of the State of Texas shall be in lieu of all other or further excise or occupation taxes to the State of Texas, or any county, city, town or political subdivision thereof.

Subsection 7. Any person or persons, corporation or association who shall operate the said certificate system on the racing of horses, except when licensed under the provisions of this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than One Thousand (\$1,000.00) Dollars, nor more than Five Thousand (\$5,000.00) Dollars for each day of such unauthorized use.

Subsection 8. In event any licensee shall intentionally violate any provision of this Act or any rule promulgated by the Racing Commission, the Commission shall have the power, on reasonable notice to the licensee, and after giving such licensee an opportunity to be heard, to cancel such license. In event of such cancellation, the licensee shall not be eligible to receive another license within a period of twelve (12) months from the date of such cancellation.

Any licensee or other party at interest shall have the right to have any decision of the Commission re-

viewed by the District Court of the county where a license was sought or obtained for the holding of a race meeting, and the procedure shall be the same as is now applicable to a review by a District Court of Travis County, Texas, of an order of the Railroad Commission of Texas.

Subsection 9. Nothing in this Act shall be construed to apply to the racing of horses when the operation of the certificate system of racing is not used in connection with such racing.

Subsection 10. The amounts of revenue derived under this Act for the two year period beginning September 1, 1937, and ending August 31, 1939, are hereby appropriated for the purposes and in the amounts as herein set out.

Subsection 11. It is hereby declared to be the intention of this Act that all the salaries and expenses of the operation of the Commission shall never become a charge against the General Revenue of the State and in the event the fees and licenses authorized herein shall not provide sufficient revenue to pay all the salaries and expenses authorized, then in that event the funds derived from the sources authorized herein shall be prorated for the salaries and expenses of the Commission.

Subsection 12. A private corporation may be formed for any or all of these purposes, namely: To construct, own, maintain or operate a racing course with the usual facilities in connection therewith, or to engage in the racing or exhibition of horses.

Subsection 13. All laws and parts of laws in conflict herewith are hereby repealed.

Subsection 14. The importance of this legislation and the fact that the State of Texas is in dire need of additional revenue creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall be in full force and effect from and after its passage, and it is so enacted."

Mr. Jones of Atascosa moved to table the amendment by Mr. Winfree.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—97

Adkins	King
Alexander	Langdon
Alsup	Lankford
Amos	Lanning
Baker	Leath
Bates	Leyendecker
Beckworth	Little
Blankenship	London
Boethel	Lucas
Bond	Mauritz
Boyer	Mays
Bradbury	McConnell
Broadfoot	McDonald
Brown	McFarland
Burton	Metcalfe
Callan	Moffett
Cathey	Morris
Cauthorn	Oliver
Cleveland	Palmer
Davis of Haskell	Patterson of Mills
Davis of Jasper	Patterson
Davison of Fisher	of Travis
Davisson	Petsch
of Eastland	Powell
Dean	Prescott
Deglandon	Reed of Bowie
Derden	Reed of Dallas
England	Rhodes
Farmer	Riddle
Fielden	Roark
Fox	Ross
Gibson	Russell
Graves	Rutta
Hamilton	Sewell
Harbin	Sharpe
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Smith of Tarrant
Holland	Stinson
Huddleston	Talbert
Hyder	Tarwater
Johnson of Ellis	Tennant
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Angelina	Thornton
Jones of Atascosa	Weldon
Keefe	Wood
Kelt	Worley
Kern	

Nays—36

Anderson	Felty
Bell	Fuchs
Bradford	Hankamer
Bridgers	Hanna
Carssow	Hardin
Celaya	Hartzog
Colquitt	Herzik
Dickson	Hoskins
Dollins	Jackson
Donaghey	Keith

Kenyon	Quinn
Knetsch	Ragsdale
McKee	Reader
Monkhouse	Schuenemann
Morse	Shell
Newton	Simpson
Nicholson	Vale
Pope	Waggoner

Present—Not Voting

Loggins	Winfree
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Absent

Howard	Mann
Hull	McKinney
Jones of Falls	Settle
Lehman	Stocks
Leonard	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Mays offered the following amendment to committee amendment No. 1:

Amend committee amendment No. 1 to House Bill No. 23, by adding a new section to Section No. 1 to be known as No. 1a: "There is hereby levied an occupation tax on salt amounting to 25c per long ton. The same provisions to apply and collections as set forth in Section No. 1, 40a."

Mr. Alexander moved to table the amendment by Mr. Mays.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—77

Alexander	Donaghey
Alsup	England
Baker	Gibson
Beckworth	Hankamer
Blankenship	Hanna
Boyer	Harris of Archer
Bradbury	Harris of Dallas
Bradford	Harris of Dickens
Bridgers	Hartzog
Burton	Herzik
Callan	Holland
Carssow	Jackson
Celaya	Johnson
Cauthorn	of Tarrant
Cathey	Jones of Angelina
Colquitt	Jones of Atascosa
Davis of Haskell	Keefe
Davison of Fisher	Kelt
Derden	King

Knetsch	Russell
Lankford	Schuenemann
Little	Settle
Lucas	Sewell
McConnell	Sharpe
McDonald	Shell
McFarland	Simpson
McKee	Skaggs
Metcalfe	Smith of Tarrant
Moffett	Stinson
Morris	Talbert
Morse	Tarwater
Newton	Tennant
Patterson of Mills	Tennyson
Patterson	Thornton
of Travis	Vale
Pope	Waggoner
Reader	Weldon
Reed of Bowie	Wood
Reed of Dallas	Winfree
Riddle	

Nays—55

Adkins	Hyder
Amos	Johnson of Ellis
Anderson	Keith
Bates	Kern
Bell	Langdon
Boethel	Lanning
Bond	Lehman
Broadfoot	Leyendecker
Brown	Loggins
Cleveland	London
Davis of Jasper	Mauritz
Davisson	Mays
of Eastland	Oliver
Dean	Palmer
Deglandon	Petsch
Dickison	Powell
Dollins	Prescott
Farmer	Quinn
Fielden	Ragsdale
Fox	Rhodes
Fuchs	Roark
Graves	Ross
Hamilton	Rutta
Harbin	Smith of Hopkins
Hardin	Smith
Harper	of Matagorda
Harrell	Thornberry
Hoskins	Worley
Huddleston	

Absent

Felty	Leonard
Howard	Mann
Hull	McKinney
Jones of Falls	Monkhouse
Kenyon	Nicholson
Leath	Stocks

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Dean moved to suspend all necessary Rules, for the purpose of making a motion for the main question on committee amendment No. 1, and the engrossment of House Bill No. 23.

The motion prevailed by the following vote:

Yeas—106

Adkins	Jones of Atascosa
Alexander	Keefe
Alsup	Kelt
Amos	Kern
Anderson	King
Baker	Langdon
Bates	Lankford
Beckworth	Leath
Bell	Lehman
Blankenship	Leyendecker
Boethel	Loggins
Bond	London
Bradbury	Mauritz
Bridgers	Mays
Broadfoot	McConnell
Brown	McDonald
Burton	McFarland
Callan	Metcalfe
Carssow	Moffett
Cathey	Monkhouse
Cauthorn	Morris
Cleveland	Morse
Colquitt	Newton
Davis of Haskell	Oliver
Davis of Jasper	Palmer
Davison of Fisher	Patterson of Mills
Davisson	Petsch
of Eastland	Powell
Dean	Prescott
Deglandon	Quinn
Derden	Ragsdale
Dickison	Reader
Dollins	Reed of Bowie
Donaghey	Rhodes
England	Riddle
Fielden	Roark
Fox	Ross
Fuchs	Russell
Graves	Rutta
Hamilton	Schuenemann
Harbin	Settle
Harper	Sharpe
Harrell	Simpson
Harris of Archer	Skaggs
Hartzog	Smith of Hopkins
Herzik	Smith
Holland	of Matagorda
Hoskins	Stinson
Huddleston	Talbert
Hull	Thornberry
Hyder	Vale
Johnson of Ellis	Waggoner
Johnson	Weldon
of Tarrant	Worley
Jones of Angelina	

Nays—29

Boyer	McKee
Bradford	McKinney
Celaya	Nicholson
Farmer	Patterson
Gibson	of Travis
Hankamer	Pope
Hanna	Reed of Dallas
Hardin	Sewell
Harris of Dallas	Shell
Harris of Dickens	Smith of Tarrant
Jackson	Tarwater
Keith	Tennant
Knetsch	Thornton
Lanning	Winfree
Lucas	Wood

Absent

Felty	Little
Howard	Mann
Jones of Falls	Stocks
Kenyon	Tennyson
Leonard	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

Mr. Dean moved the previous question on committee amendment No. 1, and the engrossment of House Bill No. 23, and the main question was ordered.

Question first recurring on committee amendment No. 1, as amended, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 23 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 23

Mr. Morris moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 23 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—98

Adkins	Bates
Alexander	Beckworth
Alsup	Bell
Amos	Blankenship
Anderson	Boethel
Baker	Bond

Bradbury	Leyendecker
Bradford	Loggins
Bridgers	London
Broadfoot	Lucas
Brown	Mays
Burton	McConnell
Carssow	McDonald
Cathey	McFarland
Cauthorn	Metcalfe
Cleveland	Moffett
Colquitt	Morris
Davis of Haskell	Oliver
Davisson	Palmer
of Eastland	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
Dickison	Petsch
England	Powell
Farmer	Prescott
Fox	Quinn
Fuchs	Ragsdale
Graves	Reader
Hamilton	Reed of Bowie
Harbin	Rhodes
Harper	Roark
Harrell	Ross
Harris of Archer	Russell
Harris of Dickens	Rutta
Herzik	Settle
Holland	Sharpe
Huddleston	Simpson
Hull	Skaggs
Hyder	Smith of Hopkins
Jones of Angelina	Smith of Tarrant
Jones of Atascosa	Stinson
Keefe	Talbert
Kelt	Tarwater
Kern	Tennyson
King	Thornberry
Langdon	Waggoner
Lankford	Weldon
Lanning	Winfree
Lehman	Wood
Leonard	Worley

Nays—37

Boyer	Keith
Callan	Kenyon
Celaya	Knetsch
Dean	Little
Dollins	Mauritz
Donaghey	McKee
Fielden	McKinney
Gibson	Monkhouse
Hankamer	Morse
Hanna	Nicholson
Hardin	Pope
Harris of Dallas	Reed of Dallas
Hartzog	Riddle
Hoskins	Schuenemann
Jackson	Sewell
Johnson of Ellis	Shell
Johnson	Smith
of Tarrant	of Matagorda

Tennant
Thornton

Vale

Absent

Davis of Jasper Leath
Davison of Fisher Mann
Felty Newton
Howard Stocks
Jones of Falls

Absent—Excused

Cagle Stevenson
Heflin Westbrook
Jones of Wise

HOUSE BILL NO. 20 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 20, A bill to be entitled "An Act levying additional taxes upon the sale of alcoholic beverages in this State; levying a gross proceeds tax of ten per cent (10%) upon sales of liquor under a Dispenser's Permit; providing the manner of the collection of said tax; fixing penalties for failure to pay the State the taxes due thereon; defining the powers and duties of Texas Liquor Control Board with respect to the collection of said tax; authorizing the issuance of a Dispenser's Permit for the sale of diluted distilled spirits; fixing the qualifications of persons entitled to hold such permits; authorizing the Texas Liquor Control Board or the Administrator to cancel or suspend the same for violations; fixing the fees for such permits; providing for local option elections to legalize or prohibit the issuance of such permits; allocating fees and revenues derived from said permits to the Old Age Assistance Fund; excepting the holders of Dispenser's Permits from the prohibitions contained in Section 3 (a) of Article I of the Texas Liquor Control Act; amending the Texas Liquor Control Act by adding thereto a new section, and declaring an emergency."

The bill was read second time.

Question—Shall House Bill No. 20 pass to engrossment?

SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and

referred to the appropriate committee, as follows:

Senate Bill No. 6, to the Committee on Municipal and Private Corporations.

ADJOURNMENT

Mr. Anderson moved that the House adjourn until 8:01 o'clock p. m., Wednesday, October 13.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—96

Adkins	Keefe
Alexander	Kelt
Alsup	Kern
Amos	King
Anderson	Langdon
Bates	Lankford
Beckworth	Lanning
Bell	Leath
Boethel	Lehman
Bond	Leonard
Bradbury	Leyendecker
Bridgers	Loggins
Broadfoot	London
Brown	Lucas
Callan	Mays
Carssow	McConnell
Cathey	McKinney
Cauthorn	Metcalfe
Cleveland	Moffett
Colquitt	Nicholson
Davis of Haskell	Palmer
Davis of Jasper	Patterson of Mills
Davison	Patterson
of Eastland	of Travis
Dean	Petsch
Derden	Powell
Dickison	Prescott
Donaghey	Quinn
England	Ragsdale
Farmer	Reader
Fox	Reed of Bowie
Fuchs	Rhodes
Graves	Roark
Hamilton	Ross
Harbin	Russell
Harper	Rutta
Harrell	Schuenemann
Harris of Archer	Settle
Harris of Dickens	Sharpe
Herzik	Simpson
Holland	Skaggs
Huddleston	Smith of Hopkins
Hyder	Smith of Tarrant
Johnson of Ellis	Stinson
Jones of Angelina	Talbert
Jones of Atascosa	Tarwater

Thornberry
Waggoner
Weldon

Winfree
Wood
Worley

Nays—35

Boyer	Knetsch
Bradford	Mauritz
Burton	McDonald
Celaya	McFarland
Deglandon	McKee
Dollins	Monkhouse
Fielden	Oliver
Gibson	Pope
Hankamer	Reed of Dallas
Hanna	Riddle
Hardin	Sewell
Harris of Dallas	Shell
Hartzog	Smith
Hull	of Matagorda
Jackson	Tennant
Johnson	Tennyson
of Tarrant	Thornton
Keith	Vale
Kenyon	

Absent

Baker	Little
Blankenship	Mann
Davison of Fisher	Morris
Felty	Morse
Hoskins	Newton
Howard	Stocks
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

The House, accordingly, at 8:00 o'clock p. m., adjourned until 8:01 o'clock p. m., Wednesday, October 13.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Education: House Bill No. 104.

Judicial Districts: House Bill No. 96.

Revenue and Taxation: House Bill No. 35.

The following committee filed adverse reports on bills, as follows:

Revenue and Taxation: House Bills Nos. 5, 9, 11, 13, 18, 22, 26 and 43.

The Committee on State Affairs

filed an adverse report, with a minority favorable report, on House Bill No. 47.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 57, A bill to be entitled "An Act amending Chapter 148 of the General Laws passed by the Forty-second Legislature at its Regular Session in 1931, by adding thereto a new section to be called Section 2b legalizing, approving and validating bonds voted by any city having a population of not less than 1,525 and not more than 1,550 according to any Federal Census, and by any city having a population of not less than 4,400 and not more than 4,500 according to any Federal Census, for the purpose of park improvements in and for such city and for the levy of the tax in payment of such bonds under authority of Chapter 148 of the General Laws passed by the Forty-second Legislature at its Regular Session; authorizing the governing body of any such city to adopt all orders, resolutions and ordinances and to do all and further acts necessary in the issuance and sale of such bonds; authorizing such governing body to levy a direct general ad valorem tax on all taxable property in said city for the purpose of paying the interest on and principal of such bonds; enacting provisions incident and necessary to the subject and purpose of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 59, A bill to be entitled "An Act validating the proceedings of the County Board of School Trustees of Taylor County in annexing the Iberis Common School District No. 38 to Wylie Consolidated Common School District No. 11; fixing the metes and bounds of Wylie Consolidated Common School District No.

11, Taylor County; validating all proceedings had in an election held on the 26th day of June, 1937; on the proposition of assuming the bonds of Wylie Consolidated Common School District No. 11 issued prior to the formation of the present Wylie Consolidated Common School District No. 11, and on the proposition of issuing \$15,000.00 schoolhouse bonds of said Wylie Consolidated Common School District No. 11, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 60, A bill to be entitled "An Act providing that in certain counties convicts either laying their fines out in jail or working such fines out on the county farm, county roads or other public works shall receive a credit therefor of One (\$1.00) Dollar per day for each day worked or spent in jail, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 69, A bill to be entitled "An Act to validate annexation proceedings of home rule cities where such annexation proceedings took place prior to April 1, 1930 and validating all proceedings, actions and contracts and the exercise of dominion and governmental functions over such annexed territory, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 70, A bill to be entitled "An Act relating to drainage dis-

tricts; validating all orders heretofore entered converting said drainage districts into districts operating under Section 59 of Article XVI of the Constitution and creating and declaring such districts to be legally existing; authorizing districts operating under such provisions of the Constitution to borrow money from the Reconstruction Finance Corporation for refunding purposes and to issue refunding bonds and levy a tax in payment thereof; prescribing the method of issuing said refunding bonds; providing a method whereby the functions of drainage commissioners may be exercised by the Commissioners' Court of the county wherein such drainage district is wholly situated; provided that if any of the provisions hereof are held to be invalid, such holding shall not affect the remaining provisions, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 71, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, relative to the compensation and salary to be paid County Auditors in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 75, A bill to be entitled "An Act making it unlawful for any person to kill, attempt to kill or have in possession any deer killed in Upshur County for a period of five (5) years following the passage of this Act; providing a suitable penalty; repealing all laws in conflict with this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 78, A bill to be entitled
"An Act amending House Bill No. 99,
Acts of the Regular Session of the
Forty-fifth Legislature as amended
by Senate Bill No. 24 of the First
Called Forty-fifth Legislature by
amending Section 25 of said House
Bill No. 99 by providing that any per-
son purchasing citrus fruit from any
dealer qualified as such, and paying
therefor in current money of the
United States, shall be exempt from
giving the bond provided for in the
Act and providing that such person
applying for license shall indicate on
his application that he desires to
operate as a cash buyer, buying only
from qualified dealers, prescribing the
rights of such cash citrus dealer and
providing the amount of license fee,
a penalty for violation, and declaring
an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 82, A bill to be entitled
"An Act to amend Section 8 of House
Bill No. 226 of the Regular Session
of the Forty-fourth Legislature, being
Chapter 4, Acts of the Regular Ses-
sion of 1935, extending the time of
existence of the Special District Court
of Gregg County, Texas, to January
25, 1943, and declaring an emer-
gency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 84, A bill to be entitled
"An Act to diminish the civil and
criminal jurisdiction of the county
court of Glasscock County, to con-
form to the jurisdiction of the Dis-
trict Court thereof, and to repeal all

laws in conflict herewith, and declar-
ing an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 86, A bill to be entitled
"An Act amending Article 6954,
Chapter 6, Title 121 of the Revised
Civil Statutes of Texas, 1925, as
amended in Chapter 245 of the Acts
of the Regular Session of the
Fortieth Legislature of Texas, as
amended in Chapter 5 of the Acts
of the Regular Session of the Forty-
first Legislature of Texas, and as
further amended in Chapter 71 of the
Acts of the First Called Session of
the Forty-first Legislature of Texas,
the latter being House Bill No. 120,
passed by the First Called Session
of the Forty-first Legislature, and
further amended in Chapter 8, of the
Acts of the Third Called Session of
the Forty-first Legislature, Senate
Bill No. 22, as amended by Chapter
15, Acts of the Fourth Called Ses-
sion of the Forty-first Legislature,
and further amended in Chapter 313
of the Acts of the Regular Session of
the Forty-second Legislature, and as
further amended by Chapter 9 of the
Acts of the Third Called Session of
the Forty-second Legislature, and as
further amended by Chapter 48 of
the Acts of the Regular Session of
the Forty-third Legislature, as further
amended by Chapter 34, of the Special
Laws of the Acts of the Regular
Session of the Forty-fourth Legisla-
ture, and as further amended by
House Bill No. 395, Acts of the Regu-
lar Session, Forty-fifth Legislature,
with reference to the mode of pre-
venting horses and certain other ani-
mals from running at large in the
counties named so as to include in
said Article the County of Brazoria,
and declaring an emergency."

Has carefully compared same and
finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.
Hon. R. W. Calvert, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 91, A bill to be entitled

"An Act declaring it unlawful to take, hunt or kill deer in San Jacinto County for a period of five years; prescribing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, October 12, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 95, A bill to be entitled "An Act validating county elections heretofore held for the issuance of bonds for hospital purposes, applicable only to such counties as contain a city having a population of not less than one hundred fifty thousand (150,000) according to the last preceding Federal Census; validating the actions of county officials and State officials in executing, approving, registering, selling and delivering said bonds; providing that this Act shall not affect litigation pending at the time the Act becomes effective, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

ELEVENTH DAY

(Wednesday, October 13, 1937)

The House met at 8:01 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Callan
Adkins	Carssow
Alexander	Cathey
Alsup	Cauthorn
Amos	Celaya
Anderson	Cleveland
Bates	Colquitt
Beckworth	Davis of Haskell
Bell	Davis of Jasper
Blankenship	Davison of Fisher
Boethel	Davisson
Bond	of Eastland
Boyer	Dean
Bradbury	Deglandon
Bradford	Derden
Bridgers	Dickison
Broadfoot	Dollins
Brown	Donaghey
Burton	England

Farmer	McKee
Fielden	McKinney
Fox	Metcalfe
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Oliver
Hardin	Palmer
Harper	Patterson of Mills
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Pope
Hartzog	Powell
Herzik	Prescott
Holland	Quinn
Hoskins	Ragsdale
Huddleston	Reader
Hull	Reed of Bowie
Hyder	Reed of Dallas
Jackson	Rhodes
Johnson of Ellis	Riddle
Johnson	Ross
of Tarrant	Russell
Jones of Angelina	Rutta
Jones of Atascosa	Schuenemann
Keefe	Settle
Keith	Sewell
Kelt	Sharpe
Kenyon	Shell
Kern	Simpson
King	Skaggs
Knetsch	Smith of Hopkins
Langdon	Smith
Lankford	of Matagorda
Lanning	Smith of Tarrant
Leath	Stinson
Lehman	Talbert
Leonard	Tarwater
Leyendecker	Tennant
Little	Tennyson
Loggins	Thornberry
London	Thornton
Lucas	Vale
Mauritz	Waggoner
Mays	Weldon
McConnell	Winfree
McDonald	Wood
McFarland	Worley

Absent

Baker	Mann
Felty	Roark
Howard	Stocks
Jones of Falls	

Absent—Excused

Cagle	Stevenson
Heflin	Westbrook
Jones of Wise	

A quorum was announced present.